

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31716 of 2018

Arising Out of PS. Case No.-140 Year-2018 Thana- GOPALGANJ TOWN District-
Gopalganj

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1. Kundan Singh, son of Munna Singh, Resident of Village- Koini, Police Station- Manjhagarh, District- Gopalganj. at present- Sareya, Ward No. 01, Police Station- Gopalganj Town, District- Gopalganj.
 2. Vicky Singh, son of Rambali Singh, Resident of Sareya, Ward No. 6, Sadhu Chauk, Police Station- Gopalganj Town, District- Gopalganj.
 3. Kanha Soni @ Kanha, son of Dina Nath @ Ravi Soni, Resident of Sareya, Ward No. 5, Sadhu Chauk, Police Station- Gopalganj Town, District- Gopalganj.
 4. Pawan Kumar, son of Ramesh Sharma, Resident of Sareya, Ward No. 03, Police Station- Gopalganj Town, District- Gopalganj.
 5. Santosh Baitha @ Santosh Kumar, son of Mahatam Rajak, Resident of Sareya, Ward No. 05, Police Station- Gopalganj Town, District- Gopalganj. At present Resident of Village- Sipaya, Police Station- Bishambharpur, District- Gopalganj.
 6. Avinash Shrivastava @ Golden @ Avinash Kumar Srivastava, son of Manoj Srivastava, Resident of Village- Mateya, Police Station- Kuchaikote, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh
For the Opposite Party/s : Mr. Sri Shyam Bihari Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 18-07-2018 Heard learned counsel for the petitioners and learned APP
for the State.

Petitioners apprehend their arrest in Gopalganj Town P.S.
case no. 140 of 2018 instituted for the offence under Section(s)
341,323, 385,427,504 and 506/34 of the Indian Penal Code.
Later on Section 27 of the Arms Act was added.



In the written report it is alleged that on 23.3.2018 these petitioners came at the house of the informant and abused the informant. It is further alleged that petitioner no.1 made firing with revolver and went away after making a demand of Rs. 25 lacs as ransom.

Learned counsel for the petitioners has submitted that police mentioned about the place of occurrence at paragraph no.3 of the case diary wherein the police has not found any sign of fire arm or any fired cartridges. The police has also mentioned in para 3 of the case diary that he found minor damage to the handle of the gate of the informant.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Gopalganj Town P.S. case no. 140 of 2018, they shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the CJM, Gopalganj, subject to the conditions as laid down under Section 438(2) Cr. P.C. with further conditions:(1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioners shall



cooperate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bond of the petitioners and (3) if petitioners tamper with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioners.

(Sanjay Priya, J)

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