

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34473 of 2018

Arising Out of PS.Case No. -16 Year- 2017 Thana -CHAUTHAM District- KHAGARIA

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1. Kailash Singh @ Mahto, Son of Late Sattan Mahto, resident of Village- Patel Nagar, P.S. Choutham, District- Khagaria.
2. Disko Singh, Son of Pramod Singh.
3. Rinku Singh, Son of Yogendra Singh.
4. Bilash Singh, Son of Yogendra Singh. Petitioner no. 2 to 4 are resident of Village- Tegachhi Punarbas, P.S.- Choutham, District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Adv.

For the Opposite Party/s : Mr. Mukeshwar Dayal, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA

ORAL ORDER

2 02-07-2018 Heard both sides.

The petitioners apprehend their arrest in Choutham P.S. Case No. 16/2017, registered for the offences punishable under Sections 147, 342 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

The informant alleged that on 15.12.2016, he had gone to plough his field, but the petitioners and other accused persons made indiscriminate firing. Somehow the informant fled away from there.

Learned counsel for the petitioners submits that the occurrence took place on 15.12.2016, but the informant gave a



written application on 18.01.2017, this fact itself shows the falsity of the case. No occurrence, as alleged by the informant has taken place. There is no explanation of 33 days delay in lodging the F.I.R.

Considering the facts aforesaid and the fact that the occurrence took place on 15.12.2016, but the informant gave information to the police on 18.01.2017, the petitioners above-named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of Judicial Magistrate Ist Class, Khagaria in connection with Choutham P.S. Case No. 16/2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Prabhat Kumar Jha, J)

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