

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62672 of 2017

Arising Out of PS.Case No. -208 Year- 2017 Thana -BARAHIYA District- LAKHISARAI

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1. RAM RAJ SINGH @ RAM RAJ, Son of Late Kapildeo Singh, Resident of Village- Paharpur, P.S.- Barahiya, District- Lakhisarai.
 2. Ram Shankar Singh, Son of Late Kapildeo Singh, Resident of Village- Paharpur, P.S.- Barahiya, District- Lakhisarai.
 3. Rajesh Singh, Son of Ram Dular Singh, Resident of Village- Paharpur, P.S.- Barahiya, District- Lakhisarai.
 4. Vikas Singh, Son of Ram Shankar Singh, Resident of Village- Paharpur, P.S.- Barahiya, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun Kumar

For the Opposite Party/s : Mr. Sri Sanjay Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 30-01-2018 Heard the learned counsel for the petitioners and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Barahiya P.S. Case No. 208 of 2017 registered for the offence punishable under Sections 341, 448, 384, 386 and 427/34 of the Indian Penal Code.

The allegation of the prosecution side is that the accused persons including the petitioners herein arrived at the office of the informant and engaged in destruction of property as well as took away a sum of Rs. 52,400/- It is further alleged that the accused persons had fired in the air.

The learned senior counsel for the petitioners submits that there is no allegation of any specific overt act against the



petitioners herein and the fact is that the petitioner No. 1 had taken loan from the informant and when he had failed to pay back the money, the informant, out of vengeance, had lodged the present case with oblique motive. It is further submitted that the case diary would bear it out that there is no evidence of any firearm injury or any gunshot having been fired.

The learned APP for the State has vehemently opposed the prayer for bail of the petitioners herein.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, on anticipatory bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Lakhisarai in connection with Barahiya P.S. Case No. 208 of 2017 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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