

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47734 of 2018

Arising Out of PS.Case No. -52 Year- 2018 Thana -RIVILGANJ District- SARAN

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1. Raushan Singh @ Raushan Kumar Singh, Son of Ravindra Singh.
2. Anil Singh @ Anil Kumar Singh, son of Late Shivdutt Singh, both
resident of Village- Barka Baiju Tola, P.S.- Rivilganj, District- Saran at
Chapra.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dewendra Narayan Singh

For the Opposite Party/s : Mr. Sri Shailendra Kumar -1

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-08-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Rivilganj
P.S. Case No. 52/2018, instituted for the offences punishable
under Sections 341, 323, 307, 379 and 504/34 of the Indian Penal
Code read with Sections 27 of the Arms Act.

Learned counsel for the petitioners has submitted that
there is case and counter case between the parties. Injuries have
been sustained from both sides. For the alleged date of occurrence,
petitioner no. 1 has also lodged a case bearing Rivilganj P.S. Case
No. 53/2018 against the brother and family members of informant
as they had assaulted the petitioners in which both petitioners had



become badly injured. Petitioner no. 2 was referred to P.M.C.H., Patna. In the instant case, there is allegation that co-accused Ravindra Singh caused firearm injury to Veer Bahadur Singh. There is no any specific overt act against these petitioners. There is allegation against petitioner no. 2 that he made firing, but the same did not hit anyone. Injury report of the informant has been annexed as Annexure-3, which shows that informant has sustained three injuries in which injury no. 2 is opined to be simple in nature. With regard to injury nos. 1 and 3, opinion has been kept reserved.

Considering the facts and circumstances of the case, the prayer for anticipatory bail of the petitioners is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today, in connection with Rivilganj P.S. Case No. 52/2018, 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 learned A.C.J.M. VIIIth, Saran at Chapra, subject to the conditions as laid down under Section 438(2) of the 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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