

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60518 of 2018

Arising Out of PS.Case No. -271 Year- 2018 Thana -BARH District- PATNA

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1. Balmiki Singh, S/o Late Chandra Shekhar Singh,
2. Pallav Singh @ Pallav Kumar S/o Balmiki Singh,
3. Gautam Singh @ Gautam Kumar S/o Sukesh Singh, All Residents of
Vill.- Achuwara, P.S.- Barh, District- Patna.

.... Petitioners

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Raj Kishore Prasad, Adv.

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 06-10-2018 Heard learned counsel for the petitioners as well as
learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with
Barh P. S. Case No. 271 of 2018 registered for the offences
punishable under Sections 341, 323, 307/34 of the Indian Penal
Code and Section 27 of the Arms Act.

Petitioner no. 2 is said to have opened fire on the
informant on the instigation of petitioner no. 1 as a result whereof,
informant sustained firearm injury. So far as petitioner no. 3 is
concerned, there is no specific overt-act against him and it is only
stated that he was simply sitting with the remaining petitioners.

Considering the aforesaid facts and circumstances as



well as submissions of the parties, it is ordered that petitioner no. 3, namely, Gautam Singh @ Gautam Kumar, in the event of his arrest/surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, Patna in Barh P. S. Case No. 271 of 2018 subject to conditions as laid down under Section 438(2) of the Cr. P. C.

So far as prayer for anticipatory bail of petitioners no. 1 and 2, namely, Balmiki Singh and Pallav Singh @ Pallav Kumar is concerned, the same stands rejected. However, if petitioners no. 1 and 2 surrender before the court below within six weeks from today and seek regular bail, the bail prayer of the aforesaid petitioners shall be considered by the concerned court on its own merit without being prejudiced by this order.

(Hemant Kumar Srivastava, J)

SHAHZAD/- Rajeev

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