

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.56333 of 2017

Arising Out of PS.Case No. -157 Year- 2017 Thana -KALYANPUR District-
EASTCHAMPARAN(MOTIHARI)

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Shashi Singh s/o Ramesh Singh r/o Parasha P.S. Keshariya, Dist. East
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

4 11-01-2018 Heard the learned counsel for the petitioner and the

learned APP for the State.

This is an application for grant of anticipatory bail in
connection with Kalyanpur P.S. Case No. 157 of 2017 registered
for the offence punishable under Sections 353, 307, 429, 414 and
216 of the Indian Penal Code and Sections 25(1-b)a, 26, 27 and
35 of the Arms Act.

The case according to the informant who is a police
official is that two groups of dreaded criminals were having an
altercation amongst themselves and had fired upon each other
whereafter the police had arrived and the said members of the two
gangs fled away. It is further alleged that from the place of
occurrence one person namely Himanshu Kumar Singh was
arrested in injured condition and he disclosed that he and the
petitioner and others were gang members.

The learned counsel for the petitioner submits that the



FIR would bear it out that only allegation levelled against the petitioner is that he was brother of one Dharmendra Singh who is the active gang member and in whose house the accused persons of one side had assembled for the purposes of attacking the other side. It is further submitted that the petitioner has clean antecedent.

Having regard to the facts and circumstances of the case, more particularly the fact that the petitioner is having a clean antecedent and has got no relation with the gang members and is only the brother of one of the gang members, I deem it fit and appropriate to enlarge the petitioner above named, in the event of his 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) with two sureties of the like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Kalyanpur P.S. Case No. 157 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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