

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19711 of 2018

Arising Out of PS. Case No.-253 Year-2017 Thana- CHAKIA District- East Champaran

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1. Shashi Pratap @ Shashi Prasad, S/o- Raghava Prasad Singh @ Radha Prasad Singh, R/o Village- Titariya , P.S.- Kotwa, District- East Champaran. At present R/o Mohalla- Ward No. 38, Hawaii Adda, Chhota Bariyarpur Motihari, P.S.- Chhatauni, District- East Champaran.
 2. Alok Kumar @ Alok Kumar Singh, S/o Late Rup Narayan Singh @ Ruplal Singh, R/o- Village- Patti Jasauli, P.S.- Kotwa, District- East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh
For the Opposite Party/s : Mr. Sri Anil Kumar

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-04-2018 Heard learned counsels for the petitioners and State.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 385, 387 and 120B of the IPC and Sections 25(1-B)a, 26 and 27 of the Arms Act.

The prosecution case, as per the self statement of Sanjay Kumar, Station House Officer, Chakia recorded on 23.09.2017, is to the effect that the informant received a secret information that the gang of Santosh Singh and Kunal Singh has planned to get Executive Engineer, Chakia, injured by resorting to firing gunshots, whereupon the informant reached at the office of Executive Engineer, Chakia for verification of same and saw few



miscreants were present there and on seeing the police, they managed to flee away, however, one person was apprehended, who disclosed his name as Vikash Singh @ Chunnu Singh and also disclosed the names of the petitioners and other co-accused persons who managed to flee away. From the apprehended accused, one country made pistol loaded with live cartridge and three live cartridges were recovered.

It is submitted by learned counsel for the petitioners that the accusation has been levelled only on suspicion. There is no recovery from the petitioners and the petitioners have been roped in the present case simply because they are brother and brother-in-law of Santosh Singh. A statement has been made in paragraph no.3 of the petition that the petitioners are not having any criminal antecedent.

Learned APP submits that the petitioners have been named by apprehended co-accused.

Considering the fact that there is no recovery from the petitioners and statement made in the petition that the petitioners are not having any criminal antecedent, let the above named petitioners be released on anticipatory bail in the event of arrest/surrender before the learned Court below within a period of twelve weeks from today, on furnishing bail bonds of Rs.



10,000/- (ten thousand) each with two sureties of like amount each to the satisfaction of learned CJM, Motihari, East Champaran in connection with Chakia P.S. Case No. 253 of 2017, subject to the condition as laid down under Section 438(2) of the Cr. P.C.

Learned court below will be at liberty to cancel the bail bonds of the petitioners if he fails to co-operate during investigation.

(Dinesh Kumar Singh, J)

Amrendra/-

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