

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45911 of 2018

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1. Ramakant Singh
2. Radha Kant Singh Both sons of Late Tetar Singh
3. Praduman Kumar son of Rama Kant Singh
4. Gajendra Singh @ Gajendra Kumar Singh son of Uma Kant Singh All
are resident of Village- Kharauwa, P.S. Pasraha, District- Khagaria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-08-2018 Heard learned counsel for the petitioners as well as the

State.

The petitioners apprehend their arrest in Pasraha P.S.

Case No. 69/2018, instituted for the offences punishable under

Sections 341, 323, 307 and 504 of the Indian Penal Code read with

Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

Learned counsel for the petitioners has submitted that

there is case and counter case between the parties. Co-accused

Shailendra Kumar @ Shailesh Raj has lodged F.I.R. against the

informant and others vide Pasraha P.S. Case No. 70/2018. It is

further submitted that earlier own nephew of petitioner no. 1,

namely, Suraj Kumar had also lodged F.I.R. Vide Pasraha P.S.



Case No. 59/2018 against the full brother, namely, Vikash Kumar, who is the witness of seizure-list of the present case. In the instant case, there is allegation that petitioners assaulted the informant and his family members causing injury to them. It is further submitted that country made pistol was recovered from Shailendra Kumar @ Shailesh Raj. The injury report of all the injured has been annexed as Annexure-2 which shows that all the injuries found on the person of the injured are simple in nature.

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 Pasraha P.S. Case No. 69/2018, 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 Chief Judicial Magistrate, Khagaria, 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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