

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58896 of 2018

Arising Out of PS.Case No. -82 Year- 2018 Thana -SILAO District- NALANDA
(BIHARSHARIFF)

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1. Dhananjay Singh S/o Narendra Kumar @ Tanik Singh resident of Village- Akbarpur, P.S.- Hilsa, District- Nalanda.
2. Bikash Yadav, S/o Biku Yadav resident of Village- Rupaspur, P.S. Chiksaura, District- Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raj Kishor Prasad

For the Opposite Party/s : Mr. Sunil Kumar Pandey

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 20-11-2018 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered under Sections 379, 307/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in brief, is that a theft of buffaloes was made. On alarm, the villagers gathered and started searching the buffaloes. In course of search, two Pick up vans, one loaded with buffaloes and another being empty were found standing at a distance. When the villagers went there, firing was made by accused persons.

It has been submitted on behalf of the petitioners that the



petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. None is said to have been injured in course of occurrence. Hence, no offence u/S 307 of the Indian Penal Code is made out. The alleged occurrence is said to have taken place due to petty reasons.

On behalf of the State, it is submitted that the petitioners are named in the Complaint Case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda at Bihar Sharif in connection with Silao P.S. Case No. 82 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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