

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26275 of 2018

Arising Out of PS.Case No. -861 Year- 2017 Thana -KHAGARIA District- KHAGARIA

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1. Sikki Yadav S/o Rameshwar Yadav,
2. Manoj Yadav S/o Late Chandra Yadav,
Both are resident of village- Rani Sakarpura, P.S.- Khagaria (O.P. Gangour), District- Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Binod Kumar, Advocate
For the Opposite Party/s : Mr. Pawan Kumar Chaurasiya, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 03-05-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek pre-arrest bail in connection with Khagaria (Gangaour) P.S. Case No.861 of 2017 registered under Sections 341, 323, 307, 448, 504 and 506 read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

It is submitted by learned counsel for the petitioners that so far as petitioner no.2 Manoj Yadav is concerned, his application for grant of pre-arrest bail has become infructuous in view of the fact that he has been arrested.

In view of the submission made above, the application for grant of pre-arrest bail so far as petitioner no.2 is concerned, is



dismissed as infructuous.

It is submitted by the learned counsel for the petitioners that there is case and counter case and in the alleged occurrence of offence admittedly no one sustained any injury.

On the other hand, learned counsel for the State submitted that though none has sustained any injury, the informant has alleged that the petitioner no.1 Sikki Yadav repeatedly opened fire upon the informant.

Having regard to the specific allegation of opening fire repeatedly against petitioner no.1, I am not inclined to grant him pre-arrest bail.

Accordingly, the application for grant of pre-arrest bail is rejected.

However, in case the petitioner no.1 Sikki Yadav surrenders and seeks bail, the same shall be considered on own merits without being prejudiced in any manner by this order.

(Ashwani Kumar Singh, J)

Md.S./-

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