

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34565 of 2018

Arising Out of PS. Case No.-317 Year-2017 Thana- RAJPUR District- Buxar

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1. Amit Singh son of Pyaare Lal Singh
 2. Om Prakash Choubey @ Om Prakash Singh son of Nand Lal Choubey @ Nand Lal Singh. Both are Resident of Village- Shisharadh, P.S.- Rajpur, District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Kamal Deo Sharma

For the Opposite Party/s : Mr. Smt. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 30-07-2018 Heard learned counsel for the petitioners and learned APP for the State.

Petitioners apprehend their arrest in Rajpur P.S. case no. 317/2017 instituted for the offence under Section(s) 341,323,147,307,379 and 506 of the Indian Penal Code and Section 27 of Arms Act.

Learned counsel for the petitioners has submitted that the petitioner's side has also filed a case vide Rajpur P.S. case no. 323/17 against the informant and others. The instant case has been filed as a counter blast to the aforesaid case.

In the instant case, there is allegation against petitioner no.1 of making firing and petitioner no.2 is alleged to have assaulted the informant's brother with other accused persons. The learned Sessions Judge, Buxar has mentioned in the impugned order that no



any injury report is attached with the case diary.

From the written report also, it does not appear that any fire arm injury has been caused to the informant.

In the facts and circumstances of the case, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, within six weeks from today in connection with Rajpur P.S. case no. 317/2017, 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 CJM, Buxar, subject to the conditions as laid down under Section 438(2) 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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