

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48427 of 2018

Arising Out of PS.Case No. -155 Year- 2017 Thana -KALUAHI District- MADHUBANI

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1. SANJAY SINGH @ SANJAY KUMAR SINGH @ SHER SINGH, S/o
Late Yugeshwar Singh,
2. Manoj Kumar Singh,
3. Mithilesh Kumar Singh Both S/o Subodh Singh, All R/o Vill.- Genatoie
Chatwaniya, P.S.- Kaluahi, District- Madhubani.
4. Gajju Khatbey S/o Late Katai Khatbey, R/o Vill.- Bhratpatti, P.S.-
Kaluahi, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Virendra Kumar

For the Opposite Party/s : Mr. Sri Tapeswar Sharma

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-09-2018 The petitioners are apprehending their arrest in connection with Kaluahi P.S. Case No. 155 of 2017, corresponding to G.R. No.2417 of 2017 registered for offences punishable under Sections 147, 148, 149, 341, 323, 324, 307, 379, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against one Sanjay Singh son of Subodh Singh is of twice giving *farsa blow* to the informant and other co-accused persons also assaulted him by different weapons and so far these petitioners are concerned, petitioner nos.1 and 4 fired but that did not hit anyone and petitioner no. 2 and 3 are also



named in the F.I.R.

Submission of learned counsel for the petitioners is that only general and omnibus allegation has been levelled against the petitioner rather the allegation of assault to the informant is attributed to other co-accused persons of this case and though it is alleged that petitioner no. 1 and 4 fired, however, the said firing did not hit anybody.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let the petitioners above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, be enlarged on bail on furnishing bond of Rs. 25,000 (Rs. Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-1st Class, Madhubani, in connection with Kaluahi P.S. Case No. 155 of 2017, corresponding to G.R. No.2417 of 2017, subject to the conditions as laid down under Section 438(2) of the Cr.P.C, as well as subject to the following conditions, it is further subject to the condition that:-

- (i) One of the bailors of the petitioners shall be a local person having sufficient immovable



property within the jurisdiction of the concerned Court.

- (ii) The petitioners shall cooperate in the investigation and make themselves available as and when required by the police and on the event of failure on their part to appear before the police on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of their bail bonds.

(Vinod Kumar Sinha, J)

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