

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49869 of 2018

Arising Out of PS.Case No. -117 Year- 2017 Thana -MATIHANI District- BEGUSARAI

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1. Ram Krishna Kumar Son of late Ashok Singh
2. Rikesh Kumar@ Majedar @Ritesh Kumar Son of Ram Karan Singh
Both Resident of Village- Ramdiri, Tola Ram Nagar, Ward No. 1, P.S.
Matihani, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Sri Bharat Lal

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 18-08-2018 Heard learned counsel for the petitioners as well as
the State.

The petitioners apprehend their arrest in Matihani
P.S. Case No. 117/2017, instituted for the offences punishable
under Sections 326, 307 and 34 of the Indian Penal Code read with
Section 27 of the Arms Act.

It is alleged in the written report that Petitioner no. 2
caused firearm injury on the leg of informant. Injury report has
been enclosed with supplement affidavit as Annexure-2 which
shows that firearm injury found on the person of informant is
opined to be grievous in nature.

Considering the specific allegation against petitioner



no. 2, this Court is not inclined to grant anticipatory bail to him. Accordingly, the prayer for anticipatory bail of petitioner no. 2 is rejected.

Petitioner no. 2 is directed to surrender before the Court below within four weeks from the date of receipt/production of a copy of this order and pray for regular bail, which shall be considered on its own merit without being prejudiced by this order.

So far as petitioner no. 1 is concerned, there is no allegation of any specific overt act against him.

The prayer for anticipatory bail of petitioner no. 1 is allowed. In the event of surrender/arrest of petitioner no. 1, named above, within six weeks from today, in connection with Matihani P.S. Case No. 117/2017, he shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate 1st Class, Begusarai, 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) petitioner 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 petitioner and (3) if petitioner 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 petitioner.

(Sanjay Priya, J.)

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