

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9188 of 2019

Arising Out of PS. Case No.-439 Year-2018 Thana- BIDUPUR District- Vaishali

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1. Rakesh Kumarn , aged about 30 years (Male) S/o Prem Chand Singh
 2. Mona Kumar aged about 25 years (Male) Son of Tribani Singh
- Both are R/o Village-Saidpur Kutubpur, P.S-Bidupur, District-Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Prabhat, Adv

For the Opposite Party/s : Mr.Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 15-02-2019 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 341,323,307,379,504 and 506/34 of the Indian Penal Code.

There is case and counter case. For trivial dispute, allegation against one of the petitioners is that he was pressing on the neck of the informant and another petitioner assaulted with the butt of the pistol.

Submission is that no offence under Section 307 of I.P.C. is made out, if the petitioners were carrying pistol and they had intention to kill, there was no reason to commit assault with the butt of the pistol. Entire allegation is false and



concocted one. Petitioners have got no criminal antecedent.

Let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.20,000 (Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Bidupur P.S.Case No. 439 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and further the petitioners shall fully cooperate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

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