

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9103 of 2019

Arising Out of PS. Case No.-330 Year-2018 Thana- RAHUI District- Nalanda

1. RAJESH KUMAR Son of- Rajendra Yadav Resident of village-fagubigha
2. Abhishek Bharti @ Pappu @ Abhishek Bhanti Son of- Rudal Yadav Resident of village-Bhandari

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 24-04-2019

This application, for grant of anticipatory bail, arises out of Rahui P.S. Case No. 330/18, disclosing offences under Sections 147, 149, 323, 504, 506 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R. is that co-accused Ashish Kumar on the order of one Laldhari Yadav assaulted the informant by means of iron rod on his head and when his elder brother came he was fired upon by on Raman Yadav causing injury on his arm. Thereafter, three miscreants came with Pulsar motorcyle along with other accused persons variously armed and attacked the house of the informant and also made indiscriminate firing. It appears that those three accused persons persons were named in the F.I.R as unknown, however, during



course of investigation, their names transpired.

Submission of learned counsel for the petitioners is that no specific allegation has been attributed to the petitioners except that they were riding on motorcyle and made firing, whereas, other co-accused persons having similar allegation has been granted the privilege of anticipatory bail by a coordinate Bench of this Court vide order dated 07.03.2019 passed in Cr. Misc. No. 73273 of 2018 and vide order dated 05.12.2018 passed in Cr. Misc. No. 69990 of 2018.

Heard learned A.P.P. as well as learned counsel for the informant. They have opposed the prayer for bail that the motorcycle, which has been used in the occurrence is registered in the name of wife of petitioner no. 1 and witnesses have also stated that they have made indiscriminate firing.

Having heard both sides, considering the facts and circumstances of the case and also the fact that other co-accused of this case has already been granted the privilege of anticipatory bail, as such, the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief



Judicial Magistrate, Nalanda at Biharsharif, in connection with
Rahui P.S. Case No. 330/18, subject to the condition laid down
under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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