

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11974 of 2019

Arising Out of PS. Case No.-152 Year-2018 Thana- PATORI District- Samastipur

JUGESHWAR RAI, S/o Late Fakira Rai, Resident of village-Saidpur Milki,
P.S-Patori, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 34943 of 2019

Arising Out of PS. Case No.-152 Year-2018 Thana- PATORI District- Samastipur

SHANTI DEVI Wife of Jugeshwar Rai Resident of Village- Saidpur Milki,
P.S.- Patori, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 11974 of 2019)

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Satyendra Prasad, APP

(In CRIMINAL MISCELLANEOUS No. 34943 of 2019)

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Satyendra Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 08-07-2019 Heard learned counsel for the parties.

The petitioners apprehend their arrest in connection with
Patori P.S.Case No. 152 of 2018 registered under Sections
120B, 307 and 326 of the Indian Penal Code and 27 of the Arms
Act.

Allegation, as per FIR, is that petitioner Jugeshwar Rai



was instrumental in causing firearm injury on the person of the informant due to previous rivalry. Petitioner Shanti Devi is wife of Jugeshwar Rai.

Learned counsel for the petitioners submits that both, petitioner Jugeshwar Rai and informant, are cousins and they belong to same family and both work in Delhi. Learned counsel further submits that from perusal of the FIR, it is apparent that firing upon the informant was made by some other person, however, informant raised suspicion that it might be hand of his cousin i.e., petitioner Jugeshwar Rai.

Learned counsel further submits that petitioner, Shanti Devi, is not named in the FIR and she has been made accused only due to the fact that she is wife of the petitioner, Jugeshwar Rai.

Learned counsel further submits that both petitioners have no criminal antecedents.

After having heard learned counsel for the parties and taking into consideration the fact that both parties are agnate and there is previous rivalry between the parties and from perusal of FIR, it is evident that somebody else had fired upon the informant and not these petitioners, as such I am inclined to grant anticipatory bail to the petitioners. Let the petitioners,



abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- each with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Samastipur in connection with Patori P.S.Case No. 152 of 2018; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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