

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12927 of 2019

Arising Out of PS. Case No.-301 Year-2018 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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1. Dhiraj Yadav @ Dhiraj Kumar (Male-20 Years) S/o Raja Ram Yadav R/o Vill- Shanti Nagar- Suja, P.S.- Begusarai Muffasil, Dist.- Begusarai.
 2. Bittu Yadav @ Bittu Kumar (Male-26 Years) S/o Raja Ram Yadav R/o Vill- Shanti Nagar- Suja, P.S.- Begusarai Muffasil, Dist. - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Adv.

For the Opposite Party/s : Mr. Ramchandra Sahni, APP.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 20-09-2019 Heard learned counsel for the petitioners and learned
counsel appearing on behalf of the State.

The petitioners apprehend their arrest in connection with Muffasil P.S.Case No. 301 of 2018 registered under sections 323, 379, 387, 504, 307/34 of the IPC and 27 of the Arms Act.

The allegation against the petitioners, is that the petitioners along with other accused persons arrived at the residence of the informant and co-accused Sunil Yadav fired upon informant but the bullet hit nephew of the informant and the allegation against the petitioners is that the bullet fired from their pistol in air did not hit anybody.



Learned counsel appearing for the petitioners submits that both the parties are agnates and there is a case and counter case between them inasmuch as Muffasil P.S. Case no. 313 of 2018 has been lodged from the side of the petitioners against the informant and others. Learned counsel further submits that co-accused Sunil Yadav is in custody and bullet allegedly fired by the petitioners did not hit anybody.

On the other hand learned counsel appearing for the informant vehemently opposed the anticipatory bail and submitted that the petitioners were also present at the place of occurrence and made fire but fortunately did not hit anybody.

Having regard to the submissions made by the parties and taking into consideration the fact that both the parties are agnates and there is a case and counter case between the parties, I am inclined to grant anticipatory bail to both the petitioners.

Accordingly, the petitioners, above named, in the event of arrest or surrender before the learned Court below within a period of four weeks from today shall be released on anticipatory bail by the Court below upon furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Begusarai in connection with Begusarai Muffasil P.S. Case No. 301 of 2018,



subject to the condition as laid down under Section 438(2) of
the Cr.P.C.

(Anil Kumar Sinha, J)

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