

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14308 of 2019

Arising Out of PS. Case No.-309 Year-2018 Thana- WARISNAGAR District- Samastipur

Munna Choudhary @ Ankush Jaiswal @ Ankush Choudhary, Son of Umesh Kumar Choudhary @ Umesh Choudhary Resident of Village- Nagarbasti Begampur, P.S.- Warisnagar, District- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 13896 of 2019

Arising Out of PS. Case No.-309 Year-2018 Thana- WARISNAGAR District- Samastipur

Guddu @ Avinash Pandit, Son of Raj Narayan Das Resident of Village - Nagarwasti, P.S.- Warisnagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 14308 of 2019)

For the Petitioner/s : Mr.Abhay Shankar Singh

For the Opposite Party/s : Mr.Nitya Nand Tiwary

(In CRIMINAL MISCELLANEOUS No. 13896 of 2019)

For the Petitioner/s : Mr.Ajay Kumar

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

4 18-06-2019 Both the aforesaid applications arise out of the same Warisnagar (Mathurapur O.P) P.S. Case No. 309 of 2018 registered under Section 307/34 of Indian Penal Code and Section 27 of the Arms Act and Section 3 / 4 of Explosive Substance Act. Therefore, both the aforesaid applications have been heard together and are being disposed of by this common order.



Heard learned counsel for the petitioners and the learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Warisnagar (Mathurapur O.P) P.S. Case No. 309 of 2018 registered under Section 307/34 of Indian Penal Code and Section 27 of the Arms Act and Section 3 / 4 of Explosive Substance Act.

The accusation is that on 14.11.2018, in course of patrolling duty, the informant along with other Police personnel received information to the effect that Sandeep Kumar Chaudhary, Munna Choudhay @ Ankush Choudhary and Guddu @ Avinash Pandit are making indiscriminate firing at the main road near Kashish Enterprises. Thereafter, informant along with other Police personnel reached there and come to know from the shop keeper and nearby people that about 4-4.15 P.M. aforesaid persons had come boarding on motorcycle and made indiscriminate firing. It is also alleged they also made firing at Bahera Chowk from where two empty cartridges were recovered. The informant raised suspicion that due to indiscriminate firing some people might sustain injury.

Learned counsel for the petitioners submits that petitioners have falsely been implicated in this case. Further



submission is that nobody sustained injury in the said firing.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Samastipur in connection with Warisnagar (Mathurapur O.P) P.S. Case No. 309 of 2018, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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