

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16112 of 2019

Arising Out of PS. Case No.-656 Year-2018 Thana- KADAMKUAN District- Patna

1. RAHUL KUMAR, Son of Late Dhruv Sahani
2. Pintu Sahani, Son of Late Dhruv Sahani
3. Guddu Sahani, Son of Hari Sahani
All Resident of Village - Railway Hantar Road, East Lohanipur, P.S. -
Kadam Kuan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binay Kumar Singh

For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 26-03-2019 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners, in the present case, are seeking anticipatory bail in connection with Kadamkuan P.S. Case No. 656 of 2018, registered for the offences under Section 147, 148, 149, 323, 427, 279, 336, 338 and 307 of the Indian Penal Code and 27 of the Arms Act and ¾ of Explosive Substance Act.

Learned counsel for the petitioners submits that on perusal of the first information report, it would appear that after the mishap of e-rickshaw belonging to one Ganga Sahni which dashed with one Wagon-R Car, a large number of persons nearing about 30-40 came with Lathi, iron rods and stone brick



and they started firing on Santosh Kumar causing injury.

It is submitted that so far as these petitioner are concerned, there is no specific allegation of firing against these petitioners. Their names have been brought in this case only because they happen to be the same caste of which Ganga Sahni belonged to. Learned counsel submits that nobody has named them either in firing or causing any damage to the cars. It is further submitted that the co-accused of this case has been granted privilege of anticipatory bail by this Court in Cr.Misc.No.14286 of 2019.

Learned A.P.P. for the State is present and has opposed the prayer for anticipatory bail of the petitioners by pointing out that unduly mob had gone to the extent of firing causing bullet injury to one Santosh Kumar.

Considering the facts and circumstances of the case wherein there is no specific allegation against the petitioners of firing and that the co-accused of this case has been granted privilege of anticipatory bail by this Court as also that the petitioners have no criminal antecedent, in the event of their arrest/surrender in the court below within a period of four weeks from today, let the above-named petitioners be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand



only) each with two sureties of the like each to the satisfaction of learned A.C.J.M. - VII, Patna in connection with Kadamkuan P.S. Case No. 656/2018, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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