

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18798 of 2019

Arising Out of PS. Case No.-1 Year-2019 Thana- KHAIRA District- Jamui *

1. PARSHURAM SINGH Son of Late Rajo Singh Resident of Village- Changodih, P.S.- Khaira, District- Jamui.
2. Balmiki Singh Son of Late Rajo Singh Resident of Village- Changodih, P.S.- Khaira, District- Jamui.
3. Shiv Kumar Singh Son of Bhola Singh Resident of Village- Changodih, P.S.- Khaira, District- Jamui.
4. Sanjeev Singh Son of Bhola Singh Resident of Village- Changodih, P.S.- Khaira, District- Jamui.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh

For the Opposite Party/s : Mr.Awadhesh Kumar Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 28-03-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Khaira P.S. Case No. 01 of 2019 for the offence under Sections 147, 148, 149, 323, 504 and 506 of the Indian Penal Code and Section 25(1-b)A, 26, 27 and 35 of the Arms Act.

From the First Information Report, it appears that petty dispute has led to the occurrence. Allegedly, the informant and other children were playing football, which was being objected to by the accused persons. It is alleged that the accused persons opened fire. Police thereafter reached and from a Scorpio vehicle, belonging to father of petitioners No. 3 and 4,



the police recovered certain country made firearm and ammunition.

Learned counsel appearing on behalf of the petitioners has submitted that father of the petitioners No. 3 and 4, co-accused Bhola Singh, has been allowed regular bail by this Court by order dated 05.02.2019 passed in Cr. Misc. No. 10114 of 2019. It has also been argued that even if the allegation made in the First Information Report is taken to be correct, there being no specific allegation against these petitioners, a case for grant of anticipatory bail is made out.

I find substance in the said submission. This application is accordingly allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Jamui, in Khaira P.S. Case No. 01 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case



may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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