

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23784 of 2019

Arising Out of PS. Case No.-396 Year-2018 Thana- TEKARI District- Gaya

1. SHATRUDHAN DAS Son of Late Bhatu Das Resident of Village - Belma, P.S.- Tekari, District - Gaya.
2. Jagjiwan Das Son of Late Bhatu Das Resident of Village - Belma, P.S.- Tekari, District - Gaya.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Singh

For the Opposite Party/s : Mr.Anish Chandra

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 12-04-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Tekari (Panchanpur) P.S. Case No. 396 of 2018 for the offence punishable under Sections 341, 323, 307, 504, 506, 379 and 427/34 of the Indian Penal Code.

Allegedly, the accused persons, including these petitioners indulged in hurling abuses and assaulting the informant. It is also alleged that they took out their revolver and threatened the informant of shooting them.

Learned counsel appearing on behalf of the petitioners has submitted that no offence under Section 307 of the Indian Penal Code can be said to be made out as there is no allegation of even opening of fire. He submits that an altercation



between the parties has resulted into scuffle leading to lodging of two cases, one by the petitioner No.1 himself, registered as Tekari P.S. Case No. 397 of 2018.

Considering the nature of accusation this application deserves to be allowed and 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 A.C.J.M.-III, Sherghati (Gaya), in Tekari (Panchanpur) P.S. Case No. 396 of 2018, 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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