

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29354 of 2019

Arising Out of PS. Case No.-515 Year-2018 Thana- KHAGARIA District- Khagaria

1. NARESH CHAURASIYA Son of Late Ram Bahadur Chaurasiya Resident of Village - Ranko, P.S.- Khagaria (Muffasil), Distt - Khagaria.
2. Rishideo Chaurasiya Son of Suresh Prasad Chaurasiya Resident of Village - Ranko, P.S.- Khagaria (Muffasil), Distt - Khagaria.

... .. Petitioners

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Binod Kumar

For the Opposite Party/s : Dr. (Mrs.) Indiar Kumari, APP

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 06-05-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Khagaria (Chitragupta Nagar) P.S. Case No. 515 of 2018 for the offence punishable under Sections 147, 148, 149, 342, 307, 386, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Land dispute between the parties is an admitted fact. Learned counsel appearing on behalf of the petitioners has submitted that as a matter of fact, one Gautam Kumar received firearm injury caused by the miscreants, leading to registration of a First Information Report being Khagaria P.S. Case No. 516 of 2018. He has submitted that this case has also been registered on the same day and there is no allegation of injury sustained by



the informant or her family members. It has been argued that there is no allegation of assault against these petitioners, except vague allegation against all the co-accused persons of having opened fire.

Considering the above submission, this application is 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., Khagaria in Khagaria (Chitragupta Nagar) P.S. Case No. 515 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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