

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35989 of 2019

Arising Out of PS. Case No.-738 Year-2018 Thana- MOTIHARI TOWN District- East
Champaran

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ASHOK SINGH Son of Late Naga Singh Resident of Village-Barharwa, P.S.-
Muffasil Motihari, District-East Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Dubey
For the Opposite Party/s : Mr.Chandra Bhushan Prasad

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 13-09-2019 This application, for grant of anticipatory bail, arises

out of Motihari Town P.S. Case No. 738 of 2018, disclosing

offences under Sections 302, 120B and 34 of the Indian Penal

Code and Section 27 of the Arms Act.

Prosecution case is that co-accused Mitthi @ Mitthu

Kumar came to the house of informant and took her husband out

of the house, where co-accused Mahanand Chaudhary, Sanjay

Singh, Ashok Singh (petitioner), Ajeet Kumar and Nageshwar

Rai were standing and as soon as husband of the informant

came, there, co-accused Mahanand Thakur fired on him and afer

receiving the injury in his stomach, he fell down and when the

informant and others went to catch the miscreants, they fled

away by opening fire.



Submission of learned counsel for the petitioner is that though the petitioner is named in the F.I.R., no specific allegation has been attributed to him and he has falsely been implicated in this case.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances, this application is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Motihari, in connection with Motihari Town P.S. Case No. 738 of 2018, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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