IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35715 of 2019

Arising Out of PS. Case No.-354 Year-2017 Thana- KHIJARSARAI District- Gaya

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1. Chandan Kumar @ Chandan Singh (Male), aged about-25 years, Son of Jayram Singh @ Jayram Kumar,
2. Pappu Singh @ Pappu Kumar (Male), aged about 31 years, Son of Jayram Singh @ Jayram Kumar,
3. Appu Singh (Male), aged about 28 years, Son of Jayram Singh @ Jayram Kumar

All are Residents of Village- Ismailpur, P.S.- Khizersarai and District- Gaya.

... ... Petitioners

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Manish Kumar No2, Adv.
For the Opposite Party/s : Mr.Sanjay Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN

ORAL ORDER

3 07-08-2019 Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case registered for the offence punishable under Sections 341, 323, 354 (A), 354 (B), 376, 511 and 34 of the Indian Penal Code and Sections 8, 10, 12 of the POCSO Act and Section 27 of the Arms Act.

Allegation against the petitioners is that they tried to lift the daughter of the informant and when they raised hulla, they made indiscriminate firing but that did not hit anybody.

Learned counsel for the petitioners submit that occurrence took place on 05.10.2017 but the FIR has been

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lodged on 06.12.2017 after lapse of two months and secondly the materials collected during the investigation clearly discloses that the allegation of lifting the girl and the firing is not true. Both parties are co-villagers and land dispute is going on. The co-accused have been granted anticipatory bail by the Coordinate Bench of this Hon'ble Court vide Cr. Misc. No. 24053 of 2019 dated 14.05.2019.

In the aforesaid facts and circumstances of the case, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (rupees ten thousand) each with two sureties of the like amount each in connection with Khizersarai P.S. Case No. 354 of 2017 to the satisfaction of the learned Additional District and Sessions Judge-cum-Special Judge, (POCSO Act), Gaya, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anjani Kumar Sharan, J)

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