

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41342 of 2019

Arising Out of PS. Case No.-50 Year-2019 Thana- BHAGWANPUR District- Vaishali

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1. Prem Sah, Son of Sanjay Sah, Resident of Village - Akbar Malahi, P.S.- Sarai, Dist.- Vaishali.
 2. Sanjay Sah @ Sanjai Sah, Son of Kamta Sah, Resident of Village - Akbar Malahi, P.S.- Sarai, Dist.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Naresh Chandra Verma

For the Opposite Party/s : Mr.Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 04-07-2019 This is an application for grant of anticipatory bail in connection with Bhagwanpur P.S. Case No.50 of 2019, disclosing offences under Sections 341, 323, 504, 307, 34 of IPC, Section 27 of the Arms Act and Section 3/4 of Dowry Prohibition Act.

Allegation as per F.I.R. is that on the order of the petitioner no.2, petitioner no.1 fired on the informant, causing injury.

Submission of the learned counsel for the petitioners is that petitioner no.1 is brother-in-law of the informant and marriage of sister of the informant with petitioner no.1 was dissolved by a decree of divorce on mutual consent, as such, they have falsely been implicated in this case.



Heard learned A.P.P. also, who has opposed the prayer for anticipatory bail by stating that there is allegation of firing against the petitioner no.1, causing injury to the informant, which will appear from the impugned order. Petitioner no.2 is concerned, he is father of petitioner no.1 and allegation against him of order giver.

Having heard both sides, in view of the facts and circumstances, as stated above, so far as, petitioner no.1 is concerned, I am not inclined to grant privilege of anticipatory bail to him, hence prayer for anticipatory bail is rejected.

So far as, petitioner no.2 is concerned, let the petitioner no.2, 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) with two sureties of the like amount to the satisfaction of learned Additional Chief Judicial Magistrate-III, Hajipur at Vaishali, in connection with Bhagwanpur P.S. Case No.50 of 2019, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure

With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-



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