

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.63120 of 2018

Arising Out of PS. Case No.-22 Year-2005 Thana- SANGRAMPUR District- Munger

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1. Manish Singh Son of late Bindeshwari Singh
 2. Viveka Singh Son of Abhai Singh. Both Resident of Village- Khapra, P.S. Sangrampur, District- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ambrish Kumar Jha

For the Opposite Party/s : Mr.Sri Arun Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 09-01-2019 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners are apprehending their arrest in connection with Sangrampur Police Station Case No.22 of 2005 registered for the offences punishable under Sections 341, 323, 324, 326, 307, 504, 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against petitioner No.2, *Viveka Singh* is that he fired from his pistol, however, it got missed. Allegation against petitioner No.1, *Manish Singh* is that he caused injury with *Farsa* at the neck of the uncle of the informant. The doctor has found sharp cut wound near the ear and lateral aspect of the neck of *Ramdeo Prasad Yadav*, the uncle of the informant. The injury was simple in nature.



Considering the fact that petitioner No.1, *Manish Singh* had knowledge that his act might cause death and injury was found consistent with the allegation, I am not inclined to enlarge him on anticipatory bail. Hence, his prayer for anticipatory bail is refused.

Let petitioner No.2, *Viveka Singh*, who has got no criminal antecedent, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

Accordingly, this criminal miscellaneous application stands partly dismissed and partly allowed.

(Birendra Kumar, J)

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