

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62636 of 2018

Arising Out of PS. Case No.-66 Year-2018 Thana- KATORIYA District- Banka

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1. Bajaj @ Md. Siraj Son of Jalil Mian
 2. Dilawar Mian @ Dilawar Hussain son of Saghir Mian
 3. Abdul Hussain @ Md. Abul @ Kutka, Son of Mazid Mian, All are Resident of Village- Khagra, P.S.-Kunda, District-Deoghar Jharkhand.

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr. Md. Nurul Hoda
For the Respondent/s	:	Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 15-01-2019 Heard learned counsel for the petitioners and
learned Additional Public Prosecutor for the State.

The petitioners are apprehending their arrest in a case registered for the offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Though, allegation against petitioner no. 1 and 2 is of commission of firearm injury to the informant, however, serious doubt is there in the statement of the informant for the purpose of consideration of this prayer for anticipatory bail for the reason that occurrence allegedly took place on 26.04.2018, fardebayan was recorded on 27.04.2018. However, the medical report reveals that the Doctor examined the informant on



24.06.2018 and found the injuries caused within six hours. Moreover, allegation of false implication is there for the reason that informant was accused in murder case of agnate of the petitioners and he had came out of jail just few days prior to the alleged occurrence.

Considering the aforesaid discrepancy, let the petitioners, above named, in the event of their arrest or surrender before the Court below within a period of thirty days from the date of receipt of the order, be released on anticipatory bail on furnishing bail bonds of Rs.20,000/- (rupees twenty thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Katoria Police Station Case No. 66 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure as well as condition that the petitioners shall fully cooperate with the investigation and trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioners.

(Birendra Kumar, J)

Kundan/Rajan

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