

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45735 of 2019

Arising Out of PS. Case No.-131 Year-2019 Thana- GOVINDGANJ District- East
Champaran

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1. RAMESH YADAV Son of Manager Yadav Resident of Village-Chatiyabintoli, P.S. - Govindganj (Malahi), District- East Champaran, Motihari.
 2. Neeraj Kumar Son of Late Halkhori Ram Resident of Village-Chatiyabintoli, P.S. - Govindganj (Malahi), District- East Champaran, Motihari.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anshu Dhar Sharma
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 24-07-2019 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Govindganj (Malahi) P.S. Case NO. 131 of 2019, disclosing offences under Sections 307,290 of the Indian Penal Code and Section 27 of the Arms Act.

As per the case of the prosecution, while celebrating solemnization of marriage, the petitioners are said to have opened fire in the open sky because of which two persons sustained injuries.

Learned counsel appearing on behalf of the petitioners has submitted that no offence can be said to be made out under Section 307 of the Indian Penal Code even



if the allegation made in the First Information Report are taken to be correct.

This application is allowed.

Let the petitioners above named in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of the learned ACJM-I, Motihari, East Champaran in Govindganj (Malahi) P.S. Case No. 131 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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