

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47296 of 2019

Arising Out of PS. Case No.-67 Year-2019 Thana- KUMAR KHAND District- Madhepura

1. MADHURI CHAUDHARY, aged about 50 years (M), Son of Late Bauku Chaudhary Resident of Village - Rahta, Ward No. 07, P.S.- Kumarkhand, District- Madhepura
2. Kailash Chaudhary, aged about 25 years (M), Son of Madhuri Chaudhary Resident of Village - Rahta, Ward No. 07, P.S.- Kumarkhand, District- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sharda Nand Mishra, Advocate

For the Opposite Party/s : Mr.Satyendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

4 14-10-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner no. 2 is seeking anticipatory bail in connection with Kumarkhand P.S. Case No. 67 of 2019 registered under Sections 341, 323, 307, 379, 504/34 of the Indian Penal Code and under Section 27 of the Arms Act.

In the present case, petitioner no. 1 has already been arrested, hence this court has already dismissed this application as against petitioner no. 1 vide order dated 06.09.2019.

So far as petitioner no. 2 is concerned, it is alleged that he had fired from his pistol but fortunately that it did not hit anybody. Learned counsel for the petitioner submits that the



allegations are false and flimsy allegations, moreover, it is evident from the first information report itself that no injury has been caused by the alleged firing of the petitioner.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioner, however it is not denied that so far as this petitioner is concerned no injury has been attributed to him.

In the given facts and circumstances of the case, let the above-named petitioner no. 2, in the event of his arrest/surrender before the court below within a period of four weeks, be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M. Madhepura, in connection with Kumarkhand P.S. Case No. 67 of 2019, subject to condition prescribed under Section 438(2) of the Code of Criminal Procedure.

(Rajeev Ranjan Prasad, J)

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