

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48791 of 2019**

Arising Out of PS. Case No.-137 Year-2019 Thana- MINAPUR District- Muzaffarpur

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1. RAGHUBIR RAM @ RAGUBIR KUMAR Son of Suresh Ram
 2. Rajbir Ram Son of Muneshwar Ram
- Both are Resident of Village-Banua, Police Station- Minapur, District- Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Dhirendra Pratap Singh
For the Opposite Party/s : Mr.Rajendra Nath Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 06-08-2019 At the very outset, learned counsel for the petitioner prays that bail application against petitioner no. 1 may be permitted to be withdrawn.

Prayer is allowed. The application against petitioner no. 1 is dismissed as withdrawn.

The petitioner no. 2 apprehends his arrest in connection with Minapur P. S. Case No. 137 of 2019 registered under Sections 147,148,149,307,323,324,341 and 384 of the Indian Penal Code and 27 of the Arms Act.

Allegation as per FIR is that other accused persons assaulted and inflicted knife blow on the brother of the informant and allegation against petitioner no. 2 is that while he was fleeing away from the place of occurrence, he made firing in the air.

Learned counsel appearing on behalf of the petitioner



submits that upon perusal of the FIR, it would be evident that only allegation against petitioner no. 2 is that he fired in the air and in that firing, bullet did not hit anybody. Learned counsel further submits that one co-accused has been granted bail by this Court, against whom there are some allegations in the FIR, vide order dated 19.07.2019 passed in Cr.Misc. No. 44465 of 2019.

After having heard learned counsel for the parties and taking into consideration the fact that only allegation against petitioner no. 2 is of firing in air as such I am inclined to grant anticipatory bail to the petitioner no. 2.

Let the petitioner no. 2, above-named, in the event of arrest or surrender before the court below within a period of four weeks from the date of receipt of a copy of this order, be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned CJM, Muzaffarpur in connection with Minapur P.S.Case No. 137 of 2019; subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

sujit/-

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