

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52507 of 2019

Arising Out of PS. Case No.-208 Year-2019 Thana- UDWANTNAGAR District- Bhojpur

1. AWADH BIHARI @ GAMA SINGH @ AWADH BIHARI SINGH @ GAMA, aged about 34 years, Male, S/o Dudheshwar Singh, R/o Village-Sakhua, P.S.- Udwant Nagar, District- Bhojpur
2. Ritesh Kumar @ Sanjay Singh, aged about 28 years, Male, S/o Dudheshwar Singh, R/o village- Sakhua, P.S.- Udwant Nagar, District- Bhojpur

... Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners : Mr. Ajay Kumar Singh, Adv.

For the Opposite Party : Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

2 22-08-2019 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the state.

The petitioners seek pre-arrest bail in connection with Udwant Nagar P.S. Case No. 208 of 2019 for the offences alleged under Sections 307, 504 and 34 of the Indian Penal Code and 27 of the Arms Act.

The accusation is that both the petitioners in drunken stage started to abuse the informant, Navlesh Kumar Singh. When the informant made protest, then, both the petitioners returned home and came with a gun and petitioner no. 1, Awadh Bihari, with intention to kill opened the fire, which hit below left knee of the informant. On raising alarm, both petitioners fled away.



Learned Additional Public Prosecutor for the State opposes the prayer for pre-arrest bail.

Having regard to the facts and circumstances of the case, let the petitioner no. 2, Ritesh Kumar @ Sanjay Singh, in the event of surrender/arrest, within a period of four weeks from today, in connection with Udwant Nagar P.S. Case No. 208 of 2019 shall be released on pre-arrest bail on furnishing bail bond of Rs.10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara, or the successor Court subject to the conditions as laid down under Section 438(2) Criminal Procedure Code.

Taking into consideration, the nature of allegation against petitioner no. 1, Awadh Bihari @ Gama Singh, @ Awadh Bihari Singh @ Gama, his prayer for pre-arrest bail is **rejected**. He is directed to surrender before the Court below and seek regular bail, which would be considered on its own merit without being prejudiced of this order.

(Rajendra Kumar Mishra, J)

Shamshad/-

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