

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52092 of 2019

Arising Out of PS. Case No.-55 Year-2019 Thana- AAYAR District- Bhojpur

1. Anil Kumar Singh Son of Sri Vijay Kumar Singh, Resident of Village- Barnaon, P.S.- Ayar, District- Bhojpur
2. Shashi Kumar Singh @ Chhote Son of Sri Vijay Kumar Singh, Resident of Village- Barnaon, P.S.- Ayar, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy

For the Opposite Party/s : Mr.Khurshid Anwar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 21-08-2019 Heard both sides.

Petitioners apprehend their arrest in Ayar P.S. Case No.55 of 2019 registered under Sections 341, 448, 307, 504, 506 and 34 of the Indian Penal Code and under section 27 of the Arms Act.

The informant alleged that on 01.07.2019 Sanjit Kumar @ Budha Singh fired on him for which he lodged Ayar P.S. Case No.53 of 2019. The police came for investigation in the case on 05.07.2019 but in the evening, Sanjit Kumar @ Budha Singh, Anil Kumar Singh (petitioner no.1) and Shashi Kumar Singh @ Chhote (petitioner no.2) came to the door of the informant and abused him. The nephew of the informant was also there. Sanjit Kumar @ Budha Singh made firing which did not hit the informant. Thereafter the informant and his nephew went inside the house and the accused persons fled away.



Learned counsel for the petitioners submits that the petitioners are, of course, named in the F.I.R. but no specific allegation is made against them. Sanjit Kumar @ Budha Singh is alleged to have fired on the informant for which Ayar P.S. Case No.53 of 2019 was registered. In the present case also, the informant made allegation of firing against Sanjit Kumar @ Budha Singh but the petitioners have also been implicated in this case only because the petitioners happen to be the brothers of Sanjit Kumar @ Budha Singh.

Having considered the facts aforesaid, the above named petitioners, in the event of their arrest or surrender before the learned court below within a period of four weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M. VII, Ara (Bhojpur) in connection with Ayar P.S. Case No.55 of 2019, subject to the conditions as laid down under Section 438 (2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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