

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55350 of 2019

Arising Out of PS. Case No.-69 Year-2019 Thana- PIPRAKOTHI District- East Champaran

1. Upendra Kumar, Son of Shiv Bachhan Rai, Resident of Kishunpur, P.S.- Piprakothi, District- East Champaran
2. Akshay Puri, Son of Deepak Puri, Resident of Kishunpur, P.S.- Piprakothi, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi, Advocate

For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 20-11-2019 Heard learned counsel for the petitioners and the learned counsel appearing on behalf of the State.

The petitioners are apprehending their arrest in connection with Piprakothhi P.S. Case No.69 of 2019 for allegedly having committed the offence under Sections 147, 148, 149, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code.

Learned counsel for the petitioners submits that though the petitioners are named in the F.I.R., there is no specific allegation of assault so far as petitioner no.1 is concerned. With regard to petitioner no.2, it is alleged that he had threatened the informant with the pistol. It is further



submitted that there is no allegation of firing against either of the two petitioners. Learned counsel for the petitioners thus submits that under such circumstances, no case under Section 307 I.P.C. is made out because neither of the two petitioners have effectively assaulted the informant. The petitioners are also not having any criminal antecedents.

Considering the aforementioned facts and circumstances, let both the petitioners, above named, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released 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 Chief Judicial Magistrate, East Champaran, in connection with Piprakothhi P.S. Case No.69 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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