

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61027 of 2019

Arising Out of PS. Case No.-166 Year-2018 Thana- MATIHANI District- Begusarai

1. GOPAL KUMAR Son of Brijkishor Rai Resident of Village Shirnyan, Police station Matihani in the district of Begusarai.
2. Niraj Kumar S/O Chandra Choor Rai Resident of Village Shirnyan, Police station Matihani in the district of Begusarai.
3. Chandra mani Rai S/O Late Dwarika Rai Resident of Village Shirnyan, Police station Matihani in the district of Begusarai.
4. Om Prakash S/O Chandra Mani Rai Resident of Village Shirnyan, Police station Matihani in the district of Begusarai.
5. Abhishek Kumar S/O Chandra Mani Rai Resident of Village Shirnyan, Police station Matihani in the district of Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prabhu Narayan Sharma
For the Opposite Party/s : Mr.Rajendra Prasad Nat

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-09-2019 Petitioners seek bail in anticipation of their arrest in connection with Matihani P.S. Case No. 166 of 2018, G.R. No. 5044 of 2018, registered for the offences punishable under Sections 341, 323, 504, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per FIR there is allegation against the petitioner No.1 of firing and causing injury to the informant and allegation against other petitioners is concerned, there is general allegation of assault by lathi and danda against them.

Submission of learned counsel for the petitioners is that



there is case and counter case between the parties and no serious injury has been caused.

Heard learned APP also.

In view of above facts and circumstances, this application is disposed of with direction to petitioner Nos. 2 to 5 to surrender and on their surrender they shall be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of the Judicial Magistrate-Ist Class, Begusarai, in connection with Matihani P.S. Case No. 166 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C. and further condition is that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the court concerned.

So far petitioner No.1 is concerned, learned court below shall verify the injury report and if any firearm injury was found on the person of informant, the petitioner shall pray for regular bail, otherwise he shall be released on bail, on surrender by the court below itself to its own satisfaction.

(Vinod Kumar Sinha, J)

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