

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58694 of 2019

Arising Out of PS. Case No.-46 Year-2019 Thana- CHAORI District- Bhojpur

Sunil Kumar S/o Baliram Singh R/o Village- Kanpahari, P.S.- Chauri,
Disstrict- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-09-2019 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner apprehends his arrest in connection with Chauri P.S. Case No. 46 of 2019, registered under Sections 341, 323, 308, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that the petitioner assaulted the son of the informant by means of *Lathi* on his head. It has further been alleged that the matter was pacified between the parties after intervention of the villagers. But in the evening the uncle of the petitioner, namely, Satyendra Singh came at the residence of the informant and opened fire from his pistol in order to terrorize the informant, hence the present FIR has been instituted.

Learned counsel for the petitioner submits that both



the parties are co-villagers and there is case and counter case inasmuch as Chauri P.S. Case No. 45 of 2019 has been lodged by the petitioner against the informant and others. He further submits that no injury has been caused to the son of the informant, the matter was pacified after the intervention of the villagers as it would be evident from FIR.

After having heard learned counsel for the parties and taking into consideration the fact that both the parties are co-villagers and there is case and counter case, I am inclined to grant anticipatory bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, abovenamed, in the event of arrest or surrender before the court below within a period of four weeks from today, 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 Judicial Magistrate 1st Class, Bhojpur at Ara in connection with Chauri P.S. Case No. 46 of 2019; subject to condition as laid down hereinabove and under Section 438(2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J)

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