

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61994 of 2019

Arising Out of PS. Case No.-502 Year-2018 Thana- NAUTAN District- West Champaran

1. Dadan Thakur, Son of Singasan Thakur, Resident of Village - Gahiri Gamhariya, P.S.- Nautan, Dist.- West Champaran.
2. Palat Mian, Son of Late Jangi Mian, Resident of Village - Jhakhara, P.S.- Jagdishpur, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-10-2019 This is an application for grant of anticipatory bail in connection with Nautan P. S. Case No. 502 of 2018, disclosing offences under Sections 147, 148, 149, 323, 324, 504, 307, 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per F.I.R. while the informant was constructing the boundary wall, petitioners came and started damaging the same and there is allegation against petitioner no.1 of firing, causing injury on the elbow and allegation against petitioner no.2 of blank firing. Apart from that petitioner no.1 is accused in one more case and petitioner no.2 is accused in two other cases also.

Submission of the learned counsel for the petitioners is that there is case and counter case between the parties and the injuries are simple in nature.



However, learned counsel for the informant has appeared *suo motu* and opposed the prayer for anticipatory bail of the petitioners and submitted that petitioner no.2 is accused in six other case, but he has suppressed the fact in para 3 of this petition.

Having heard both sides, considering the above submissions, so far as, petitioner no.1 is concerned, let the petitioner no.1, above named, in the event of his arrest or surrender before the court below within a period of two weeks from the date of receipt of certified copy of this order, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Nautan P. S. Case No. 502 of 2018 subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition that he will not repeat the occurrence again.

So far as petitioner no.2 is concerned, I am not inclined to grant privilege of anticipatory bail to the petitioner no.2. However, he may surrender and pray for regular bail before the learned court below.



With the aforesaid, this application is disposed of.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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