

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61009 of 2019**

Arising Out of PS. Case No.-79 Year-2019 Thana- MAIRWAN District- Siwan

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1. SUDHIR JAISWAL @ SUDHIR KUMAR JAISWAL Son of Late Jagdish Jaiswal Resident of Village-Surwal, P.S.-Ziradei, District-Siwan.
  2. Arun Jaiswal @ Arun Kumar Jaiswal Son of Late Jagdish Jaiswal Resident of Village-Surwal, P.S.-Ziradei, District-Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Ajay Kumar Pandey

For the Opposite Party/s : Mr.Arun Kumar Pandey

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**CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA**  
**ORAL ORDER**

2      25-09-2019                      This application, for grant of anticipatory bail, arises out of Mairwa P.S. Case No. 79/19, disclosing offences under Sections 307/120(b)/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R. is that five persons came on two motorcycle and, thereafter, petitioner no. 1 ordered to fire, on which, co -accused Jogendra Yadav fired on the informant, which hit him in his abdomen and petitioner no. 2 is also named in the F.I.R.

Submission of learned counsel for the petitioners is that they have been made accused in this case due to previous enmity with the informant and further there is no allegation



against the petitioners of firing on the informant rather the same is attributed to the co-accused Jogendra Yadav.

Heard learned A.P.P. also.

Having heard both sides, considering the facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioners rather petitioners should surrender before the court below and make prayer for regular bail and if any such application is filed, the court below will dispose of the same on the merit of the case, if possible on same day, without being prejudiced by this order.

This application is, accordingly, dismissed

**(Vinod Kumar Sinha, J)**

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