

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 77517 of 2019

Arising Out of PS. Case No.-292 Year-2019 Thana- DUMRAO District- Buxar

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1. TINKU KUMAR S/o Late Laxaman Prasad Resident of Nimej Tola, Ward No. 24 Dumeraon, P.S.- Dumeraon, Distt.- Buxar
 2. Manish Kumar Sharma S/o Santosh Sharma Resident of Gulam Rawat Ki Gali, Ward No. 9 Dumeraon, P.S.- Dumeraon, Distt.- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar

For the Opposite Party/s : Mr.Jagdhar Prasad

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 13-12-2019 Heard learned counsel for the petitioners and the learned APP for the State.

Petitioners apprehend arrest in connection with Dumraon Police State (for brevity, *PS*) instituted for the offence under Section(s) 307/34 of the Indian Penal Code and Section 27 of Arms Act.

It is submitted by the learned counsel appearing for the petitioners that having been assaulted by the informant of the instant case along with other co-accused persons, petitioner No 2 had lodged Dumraon PS Case No 233 of 2019 on 23.06.2019. It is submitted that as a counterblast to the said case, petitioners have been implicated in the instant case bearing Dumraon PS



Case No 292 of 2019 which has been lodged much later, i e, on 09.08.2019. Even as per the allegations, no fire shot injury has been sustained. The petitioners, prior to the instant case, have no criminal antecedent as per statement made in the application.

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of the petitioners for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioners, named above, before the court below, within four (04) weeks from today, they shall be released on anticipatory bail on each of them furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Buxar in connection with Dumraon PS Case No 292 of 2019 subject to the conditions as laid down under Section 438 (2) Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioners who will give an affidavit giving genealogy as to how he is related with the petitioners. The bailor will also undertake to inform the Court if there is any change in the address of the petitioners.



(ii) That the petitioners will be well represented on each date and if they fail to do so on two consecutive dates, their bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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