

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68276 of 2019

Arising Out of PS. Case No.-288 Year-2019 Thana- RAJGIR District- Nalanda

1. DHIRAJ KUMAR Son of Late Ashok Singh Resident of Village - Sithaura, P.S.- Rajgir Distt - Nalanda.
2. Gopal Kumar @ Gopal Singh Son of Late Ram Chandra Resident of Village - Sithaura, P.S.- Rajgir Distt - Nalanda.
3. Sudama Singh @ Sudama Son of Late Anandi Singh Resident of Village - Sithaura, P.S.- Rajgir Distt - Nalanda.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 27-11-2019

Heard learned counsel for the parties.

This application for anticipatory bail arises out of Rajgir P.S. Case No. 288 of 2019 for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 379 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

There are six persons named and five others, who are said to have committed the offence. Accused No. 1 and 3 are full brothers. It is alleged that a group of 11 persons attempted to snatch the cash, which the informant was carrying. There is allegation that when one of the well-wishers of the informant attempted to intervene, he was assaulted with the butt of the pistol. The accused persons are said to have opened fire, which



did not hit anyone.

Learned counsel appearing on behalf of the petitioners has submitted that the informant is owner of 'Amaze Water World Hangama Zone', which is a water and amusement park. The alleged occurrence is said to have taken place near the gate of the said park. According to him, certain dispute had arisen, leading to altercation and scuffle over entry into the park and what has been alleged in the First Information Report is much exaggerated version of what had, in fact, happened. He also submits that on the same day another First Information Report has been registered against the petitioners as Rajgir P.S. Case No. 286 of 2019, in which they have been allowed bail.

Considering the facts and circumstances, nature of accusation and the submissions, which have been advanced on behalf of the petitioners, this application is allowed.

Let the petitioners above named, in the event of their arrest/surrender within six weeks from today in the Court below, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned C.J.M., Nalanda at Biharsharif, in Rajgir P.S. Case No. 288 of 2019, subject to the conditions as laid down under Section 438(2) of the Code of



Criminal Procedure.

This is subject to the condition that the petitioners shall present themselves before the Police/Court, as the case may be, as and when required and in the event of failure on their part to appear before the Court on two consecutive occasions, their bail bonds shall be liable to be cancelled.

It is observed, however, that if the petitioners are found indulging in similar activities in future, the prosecution shall be at liberty to apply for cancellation of bail allowed to them by the present order.

(Chakradhari Sharan Singh, J)

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