

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82187 of 2019

Arising Out of PS. Case No.-166 Year-2019 Thana- KOTWA District- East Champaran

1. Raju Dubey Son of Ashok Dubey Resident of Village - Bhatwaliya, P.S. - Sangrampur, District- East Champaran
2. Laddu Dubey Son of Ashok Dubey Resident of Village - Bhatwaliya, P.S. - Sangrampur, District- East Champaran

... .. Petitioners

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioners	:	Mr.Shakti Suman Kumar
For the State	:	Mr.Ajay Kumar, Addl Public Prosecutor
For the informant	:	Mr. Ashok Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-12-2019

Heard learned counsel for the parties.

Petitioners apprehend arrest in a case registered for the offence punishable under section 307 and other allied sections of the Indian Penal Code and under section 27 of the Arms Act.

It is alleged that the miscreants fired at the informant causing injury on his right arm, chest and buttock.

Learned counsel for the petitioners submits that the petitioners have been roped in this case on the suspicion that the petitioners had taken loan from the informant and now the latter had asked them to return the same, which action might have provoked the petitioners for making assault on the informant. He submits that save and except suspicion, nothing incriminating has come against the petitioners to implicate them with the occurrence. Petitioners have got no criminal antecedent.

Learned counsel appearing for the informant points out that the informant sustained fire arms injuries caused by the



miscreants including the petitioners.

In view of the facts and circumstances of the case, in the event of arrest/surrender within six weeks from today, let both the petitioners, mentioned above, 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 Chief Judicial Magistrate, East Champaran, Motihari in Kotwa Police Station Case No. 166 of 2019, on the following conditions:-

(1) Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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