

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5169 of 2020

Arising Out of PS. Case No.-274 Year-2019 Thana- SAHEBGANJ District- Muzaffarpur

1. AJAY KUMAR @ AJAY RAI Son of Jaleshwar Rai Resident of Village - Madhopur Hazari, P.S.- Sahebganj, District- Muzaffarpur
2. Nitesh Kumar @ Nitish Kumar Son of Mishri Lal Rai Resident of Village - Madhopur Hazari, P.S.- Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anita Kumari

For the Opposite Party/s : Mr.Atul Chandra

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR SRIVASTAVA

ORAL ORDER

2 03-03-2020 Heard learned counsel for the petitioners as well as learned Additional Public Prosecutor for the State.

Petitioners apprehend their arrest in connection with Sahebganj P.S. Case No. 274 of 2019 registered for the offences punishable under Sections 147,149,323,324,307 of the Indian Penal Code and Section 27 of the Arms Act.

Although petitioners are named in the first information report and it is alleged that petitioner no. 1 was armed with pistol and order giver but according to the prosecution case itself, it was co-accused Chandan Kumar, who case farsa blow causing head injury to the informant. So far as petitioner no. 2 is concerned, it is alleged that he gave bhala



blow on near the eye, of the informant' son Sukhal Rai but Annexures 2 and 3 to this petition as well as impugned order go to show that the injuries were found simple in nature which is caused by hard and blunt substance.

However, learned counsel appearing for the informant opposes the prayer for bail of the petitioners but considering the aforesaid facts and circumstances as well as submissions of the parties, let above named, petitioners, in the event of their arrest/ surrender within four weeks from the date of receipt of this order to the court concerned, shall be released on bail on furnishing bail bonds of Rs 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate 1st cum Sub- Judge West Muzaffarpur in Sahebganj P.S. Case No. 274 of 2019 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Hemant Kumar Srivastava, J)

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