

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8687 of 2020

Arising Out of PS. Case No.-273 Year-2019 Thana- AURAI District- Muzaffarpur

1. DIWAKAR KUMAR JHA @ DIWAKAR JHA Son of Umesh Chandra Jha Resident of Village- Sundar Kholi, P.S.- Aurai, District- Muzffarpur.
2. Ankit Kumar Son of Umesh Chandra Jha Resident of Village- Sundar Kholi, P.S.- Aurai, District- Muzffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Ranjan

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 29-02-2020

At the outset, the learned counsel for the petitioners seeks to withdraw the present petition *qua* the petitioner no. 1 in order to enable him to surrender before the learned court below and seek regular bail.

Accordingly, the present petition *qua* the petitioner no. 1 stands dismissed as not pressed, however with liberty to the petitioner to surrender before the learned court below and pray for regular bail.

Heard the learned counsel for the petitioner and the learned A.P.P. for the State.

This is an application for grant of anticipatory bail in connection with Aurai case no. 273 of 2019 registered for the



offences punishable under Sections 341, 323, 447, 448, 307, 506/34 of Indian Penal Code and Section 27 of Arms Act.

The case of the prosecution is that the accused persons including the petitioner herein arrived at the place of occurrence and had engaged in indiscriminate firing, however it appears that nobody was injured.

The learned counsel for the petitioners has submitted that the petitioners are innocent and have been falsely implicated in the present case and as far as petitioner no. 2 is concerned, he is having a clean antecedent, hence this Court may consider the prayer of the petitioner no. 2, atleast for grant of anticipatory bail.

Having regard to the facts and circumstances of the case and considering the submissions made by the learned counsel for the petitioners, I deem it fit and appropriate to admit the petitioner no. 2 to the privilege of anticipatory bail. Accordingly, petitioner no. 2, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt/ production of a copy of this order, is directed to be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Judge-XIV-



cum-Additional Chief Judicial Magistrate-XIII, Muzaffarpur in connection with Aurai PS case no. 273 of 2019 subject to the conditions as laid down under Section 438(2) of Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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