

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19621 of 2020

Arising Out of PS. Case No.-808 Year-2019 Thana- HAJIPUR District- Vaishali

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BRIJ MOHAN SINGH @ MOHAN SINGH Son of Late Rameshwar Singh
Resident of Bharat Rawat Katra, P.S.- Town, District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Soni Srivastava
		Mr. Anjani Kumar Jha
For the Opposite Party/s	:	Mr. Dr. Indivar Kumari (App)

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 18-09-2020 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Vaishali (Town) P.S. Case No. 808 of 2019, disclosing offences under Sections 307/34 of the Indian Penal Code.

On perusal of the First Information Report, it transpires that there was some dispute in relation to execution of sale deed by one Kiran Prabha in favour of the informant, which was being objected to, by the petitioner, who is admittedly own brother of said Kiran Prabha. The dispute had gone for panchayati for amicable resolution, when allegedly the FIR named persons including the petitioner reached and started indiscriminate firing. It is alleged that the informant and other two persons sustained gun shot injuries.

Case diary had been called for, which is there on



record..

Learned counsel appearing on behalf of the petitioner has submitted that through there is allegation of indiscriminate firing against all accused persons including this petitioner and also that the informant and others received gun shot injuries, no fire arm injury has been found to support the said allegation.

On perusal of the case diary, I find substance in the submissions made on behalf of the petitioner that there is no evidence of any fire arm injury.

In the background of admitted dispute of civil nature between the parties, in my opinion, the in facts and circumstances noted above, a case for grant of anticipatory bail is made out.

This application is allowed.

Let the petitioner above named in the event of his 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) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Vaishali at Hajipur in Vaishali (Town) P.S. Case No. 808 of 2014, 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 petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure



on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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