

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26568 of 2020

Arising Out of PS. Case No.-2 Year-2020 Thana- MAHUA District- Vaishali

1. KAPILDEO PASWAN Son of Munilal Paswan @ Munna Paswan Resident of Village - Kutubpur Sahmal, P.S. - Mahua, District - Vaishali.
2. Manoranjan Kumar Singh @ Kumar Manoranjan Singh Son of Dinesh Prasad Singh @ Dinesh Singh Resident of Village - Kutubpur Sahmal, P.S. - Mahua, District - Vaishali.
3. Ram Pravesh Ray Son of Ramchandra Ray Resident of Village - Kanhauli Mansipur @ Kanhauli Vishanparsi, P.S. - Mahua, District - Vaishali.
4. Chandan Patel @ Chandan Kumar son of Suresh Patel Resident of Village - Kanhauli Mansipur @ Kanhauli Vishanparsi, P.S. - Mahua, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vasant Vikas

For the Opposite Party/s : Mr.Anil Kumar, APP.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 05-11-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of Virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the Office, within a period of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioners and learned APP for the State.

The petitioners are apprehending their arrest in a case



registered under Sections 302, 120(b) of the Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that while the husband of the informant was at home, the accused persons, variously armed, came and fired at him due to which he sustained fire arms injury and later died.

It has been submitted on behalf of the petitioners that the petitioner no. 1 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. The main allegation of assault is alleged against co-accuseds namely Avinash Rai and Vinay Rai. There is no allegation of assault alleged against the petitioners nor there is any overt act alleged against them.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned learned Chief



Judicial Magistrate, Vaishali at Hajipur in connection with Mahua P.S. Case No. 02 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

U			
---	--	--	--

