

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30853 of 2020

Arising Out of PS. Case No.-94 Year-2020 Thana- BAKHTIYARPUR District- Patna

1. SURAJ RAY @ SURAJ YADAV Son of Chandeshar Yadav Resident of Village - Madhopur, P.S.- Bakhtiarapur, Distt. - Patna.
2. Karu Ray @ Karu Yadav Son of Chandeshar Yadav Resident of Village - Madhopur, P.S.- Bakhtiarapur, Distt. - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amresh Kumar Sinha
For the Opposite Party/s : Mr. Nityanand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 23-11-2020 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 defect(s), as pointed out by the office, within a period of four weeks after restoration of normalcy.

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

The petitioners seek bail in a case registered under Sections 147, 148, 149, 326,, 307, 120(B) of the Indian Penal Code and 27 of the Arms Act.

Prosecution case in short is that while the informant along with his brother was sitting at his door of the house, all the accused persons having armed with pistols came there. It is further alleged



that the accused persons started firing and in the said firing, the brother of the informant sustained fire-arm injury.

It has been submitted on behalf of the petitioners that there is no allegation of tampering of witnesses alleged against the petitioners. The petitioners are in custody since 31-03-2020. Charge sheet/Prosecution report in this case has already been submitted. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. At best, the petitioners are said to be members of unlawful assembly.

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

Considering the aforesaid facts and circumstances of the case, let the petitioners, above named, 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 learned Additional Chief Judicial Magistrate, Barh, Patna in connection with Bakhtiarpur P.S. Case No. 94 of 2020.

(Sudhir Singh, J)

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