

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74471 of 2019

Arising Out of PS. Case No.-245 Year-2017 Thana- BIDUPUR District- Vaishali

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1. BIRENDRA KUMAR Son of Ram Prasad Bhagat Resident of Village-Kuttupur Saidpur, Police Station-Bidupur, District- Vaishali.
 2. Ram Prasad Bhagat Son of Late Paltu Bhagat Resident of Village-Kuttupur Saidpur, Police Station-Bidupur, District-Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Javed Aslam

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 20-01-2020 This application, for grant of anticipatory bail, arises out of Bidupur P.S. Case No. 245 of 2017, disclosing offences under Sections 147, 447, 341, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation as per F.I.R. is that on the order of petitioner no. 2, petitioner no. 1 and others fired and one of the shots hit the informant causing injury to him.

Submission of learned counsel for the petitioners is that as a matter of fact a case has been lodged with respect to murder of daughter in law of petitioner no. 2 by the informant and others and only to save their skin, they have come out with this false case. Further submission is that falsity of the case will



appear from the fact that though there is allegation of firing but the injured has not sustained any fire arm injury.

Heard learned A.P.P. also.

Having heard both sides, considering the submission, as above, this application is allowed. Let the petitioners, above named, in the event of their arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty five Thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bidupur P.S. Case No. 245 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Vinod Kumar Sinha, J)

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