

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81222 of 2019

Arising Out of PS. Case No.-312 Year-2019 Thana- BAKHTIARPUR District- Saharsa

1. SUSHIL YADAV Son of Siya Yadav Resident of Village - Belbada Jila Tola, Ward No. 12, P.S.- Simri Bakhtiyarpur (Kanariya O.P.), Distt - Saharsa.
2. Manoj Yadav Son of Wakil Yadav Resident of Village - Belbada Jila Tola, Ward No. 12, P.S.- Simri Bakhtiyarpur (Kanariya O.P.), Distt - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 14-02-2020 Heard learned counsels for the parties.

The petitioners are apprehending arrest in a case registered for the offences punishable under Sections 147,148,149,307 and 302 of the IPC.

The prosecution case as per the Fardbeyan of one Sukesh Kumar Singh recorded on 8.8.2019 is to the effect that he was in the house when the FIR named accused and 4-5 unknown came and on the order of Aamo Devi, her son Ranvir Singh caused injury to the informant's brother namely, Mukesh Singh by gun, who subsequently succumbed to the injury.

It is submitted by learned counsel for the petitioners that the specific accusation of firing is against co-accused Ranvir



Singh and there is only one injury on the body of the victim. Statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the petitioners are named in the FIR.

Considering the fact that there is specific accusation of firing against co-accused Ranvir Singh and the medical report suggests only one injury, coupled with the statement made in paragraph 3 of the petition that the petitioners are not having any criminal antecedent, let the petitioners above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned CJM, Saharsa in connection with Bakhtiyarpur P.S. Case No.312 of 2019 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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