

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41849 of 2021

Arising Out of PS. Case No.-127 Year-2021 Thana- GARKHA District- Saran

1. DHARMENDRA RAY S/O LATE RAMNATH RAI R/O VILLAGE-MINAPUR, P.S-GARKHA, DISTRICT-SARAN AT CHAPRA.
2. SUDAN KUMAR @ SUDAN KUMAR RAI S/O CHANDESHWAR RAI R/O VILLAGE-MINAPUR, P.S-GARKHA, DISTRICT-SARAN AT CHAPRA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kumari
For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-12-2021 Supplementary affidavit is filed on behalf of the petitioner. The same be kept on record.

Heard learned counsel for the petitioners and the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the office, within a period of eight weeks.

The petitioners are apprehending their arrest in a case registered for the offence under Section 307/34 of the Indian Penal Code and 27 of the Arms Act.

Allegedly, while the informant was sitting at the Dalan of one Asharfi Rai, both the petitioners along with other unknown persons are said to have started abusing him and in consequence



thereof, firing was made, in which, the informant escaped himself. The family members of the informant along with people of vicinity came there and then, the accused persons fled away.

It has been submitted on behalf of the petitioners that the petitioner No. 2 has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have been falsely implicated in the present case. It is submitted that no injury is said to have been caused by the petitioners to anyone. Hence, no offence u/S 307 of the Indian Penal Code is made out. Due to previous enmity, the petitioners have been made accused in the present case.

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, the petitioners, above named, in the event of arrest or 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 Sri Chandra Bose Kumar Singh, learned Judicial Magistrate-Ist Class, Saran at Chapra in connection with Garkha P.S. Case No.



127 of 2021 subject to the conditions as laid down under
Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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