

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37566 of 2020

Arising Out of PS. Case No.-39 Year-2020 Thana- BARIYARPUR District- Munger

1. FANTUSH KUMAR, Son of Manoj Mandal Resident of Village - kala Mandal Tola, P.S.- Bariyarpur, Distt.- Munger.
2. PUSHPRAJ KUMAR@ BHOLA SONGH, Son of Late Ram Nagina Singh Resident of Village - Gandhipur, P.S.- Bariyarpur, Distt.- Munger.

... .. Petitioner/s

Versus

THE STATE OF BIHAR PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Kamal Nayan

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-04-2021 Heard Mr. Kumar Kamal Nayan, learned counsel
for the petitioners and learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Bariyarpur P. S. Case No. 39 of 2020, dated 24.04.2020, instituted for the offences under Sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and Sections 25(1-b)a, 26(i), 27 and 35 of the Arms Act, 1959.

It has been submitted on behalf of the petitioners that though they are alleged to have resorted to firing along with others, but nobody has sustained any



injury.

Apart from this, it has been submitted that the informant himself had handed over the weapon of assault to the police without specifically disclosing as to whose weapon was that.

No such occurrence, as stated in the F.I.R., it has been argued, has taken place and the petitioners have been made accused in this case on absolutely false grounds.

The petitioners have clean antecedents.

Considering the afore-stated facts, the petitioners, above-named, are directed to be released on bail, in the event of their arrest or surrender before the court below within a period of eight weeks from the date of receipt / production of a copy of this order, on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Sri Nand Kishore Ram, A.C.J.M., Munger, in connection with Bariyarpur P.



S. Case No. 39 of 2020, subject to the conditions as
laid down under Section 438 (2) Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J)

skm/-

U		T	
---	--	---	--

