

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38047 of 2020

Arising Out of PS. Case No.-184 Year-2020 Thana- BARHIYA District- Lakhisarai

1. SANJAY SINGH S/o Late Dasarath Singh RESIDENT OF VILLAGE DARIYAPUR DIH POLICE STATION BARAHIYA, DISTRICT-LAKHISARAI
2. Madhav S/o Sanjay Singh RESIDENT OF VILLAGE DARIYAPUR DIH POLICE STATION BARAHIYA, DISTRICT-LAKHISARAI
3. Narayan Kumar S/o Sanjay Singh RESIDENT OF VILLAGE DARIYAPUR DIH POLICE STATION BARAHIYA, DISTRICT-LAKHISARAI

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukul Jee, Advocate

For the Opposite Party/s : Mr. APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 15-04-2021 Heard Mr. Mukul Jee, learned counsel for the petitioners and the learned APP for the State.

The petitioners seek bail in anticipation of their arrest in connection with Barahiya P.S. Case No. 184 of 2020 dated 12.08.2020 instituted for the offences under Sections 341, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The occurrence is said to have taken place over a very petty dispute.

However, regard being had to the fact that the informant was hit by a firearm, I am not inclined to grant anticipatory bail to the petitioners notwithstanding



the fact that they are not alleged to have opened fire. The mother of petitioners no. 2 and 3 who is also the wife of petitioner no. 1 has been granted regular bail by the court below. She is said to be the order giver.

Accordingly, the prayer for anticipatory bail of the petitioners is rejected.

However, if the petitioners surrender before the court below and seek bail, the court below shall consider the totality of the circumstances and the fact that the petitioners are not alleged to have fired at the informant and shall pass orders in accordance with law without being prejudiced by the fact that the present petition has not been entertained.

(Ashutosh Kumar, J)

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