

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6508 of 2021

Arising Out of PS. Case No.-310 Year-2019 Thana- CHOUTARWA District- West
Champaran

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1. BHUSHAN @ BHUSHAN BIN Son of Late Bhagrasan Bin Resident of Village-Shera Bazar, P.S.-Bathwariya (Chautarwa), District-West Champaran.
 2. Bijesh Bin @ Virjesh Bin Son of Rannu Bin Resident of Village-Shera Bazar, P.S.-Bathwariya (Chautarwa), District-West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kr Singh No. 1, Advocate
For the Opposite Party/s : Mr.A.P.P.

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-11-2021 Heard the learned counsel for the petitioners and the
learned A.P.P. for the State.

The petitioners apprehend their arrest in connection with Chautarwa (Bathwariya) P.S. Case No. 3/10/2019 for the offence registered under Sections 341, 458, 307, 354/34 of the Indian Penal Code.

The allegation is regarding the accused persons having entered the house of the informant whereafter the co-accused person namely Sudama Bin is alleged to have fired on the informant with a country made pistol resulting in the informant receiving injury over his left shoulder. As far as the petitioners are concerned, they are alleged to have only



caught hold of the wife of the informant, however, upon alarm being raised they had fled away.

The learned counsel for the petitioners has submitted that the petitioners are innocent, have been falsely implicated in the present case and they are having a clean antecedent. The learned counsel for the petitioners has further submitted that the main thrust of the allegation is against the co-accused person, namely Sudama Bin who is stated to have fired from his country made pistol and the fact is that he has already surrendered before the learned court below and is behind bars. It is further submitted that as far as the petitioners are concerned, a general and omnibus allegation has been levelled, hence they may be granted the privilege of anticipatory bail.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case and considering the fact that the petitioners are having a clean antecedent and no specific allegation of any sort of overt act has been levelled against them, I deem it fit and proper to admit the petitioners herein to the privilege of anticipatory bail.

Accordingly, the petitioners, above named, are directed to be released on anticipatory bail in the event of their



arrest/surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st Bagaha, District-West Champaran in connection with Chautarwa (Bathwariya) P.S. Case No. 310 of 2019 subject to the conditions as stipulated under Section 438(2) of the Code of Criminal Procedure.

(Mohit Kumar Shah, J)

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