

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13962 of 2022

Arising Out of PS. Case No.-335 Year-2021 Thana- ATRI District- Gaya

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1. Rohit Kumar @ Dabloo Singh Son of Parusuram Singh Resident of Village - Malti, P.S.- Atri, Distt.- Gaya.
 2. Nitish Kumar Son of Babloo Singh Resident of Village - Malti, P.S.- Atri, Distt.- Gaya.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 10-08-2022 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners apprehend their arrest in connection with Atri P.S. Case No.335 of 2021, registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioners and other co-accused persons are said to have started abusing the informant. Co-accused, Babloo Singh, on the instruction of his uncle, Bhola Singh made firing towards the son of the informant resulting into his death at the spot.

Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. It is further submitted that the specific allegation is against Babloo Singh who fired upon the deceased and petitioners



are son and nephew of the said Babloo Singh. There is general and omnibus allegation against these petitioners. It is lastly submitted that the petitioners have got no criminal antecedent as stated in paragraph-3 of the bail application.

Learned APP for the State opposed the prayer for anticipatory bail of the petitioners.

Taking into consideration the facts and circumstances of the case, let petitioners, above named, in the event of their arrest or surrender before the learned court below within a period of six weeks from today, be enlarged on bail on furnishing bail bonds of Rs.25,000/- (rupees twenty five thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.- XIII, Gaya in connection with Atri P.S. Case No.335 of 2021, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

The learned court below is directed to verify the criminal antecedent of the petitioners before accepting the bail bonds. If any criminal antecedent is found against the petitioners, the learned court below shall not accept their bail bonds.

(Anjani Kumar Sharan, J.)

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