

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21177 of 2022

Arising Out of PS. Case No.-28 Year-2022 Thana- BARUN District- Aurangabad

1. AJIT SINGH @ AJIT KUMAR SINGH Son of Janeshwar Singh Resident of Village - Padaria, P.s.- Barun, Distt.- Aurangabad.
2. DEVA SINGH @ DEWA SINGH Son of Late Badai Singh Resident of Village - Padaria, P.s.- Barun, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Krishna Prasad Singh, Sr. Advocate
For the Opposite Party/s:		Mr. J.N.Thakur, APP
For the informant		Mr. B.B.Tiwary

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

2 02-08-2022 Learned counsel for the petitioners is directed to remove all the defects pointed out by the Stamp Reporter within one month.

At the outset, learned counsel for the petitioners has submitted that during the pendency of this anticipatory bail application, petitioner no.2 has been arrested and, as such, the same has become infructuous. He, therefore, seeks permission to withdraw this application as against petitioner no.2.

In view of the aforesaid submission, the application is dismissed as withdrawn as **having become infructuous as against petitioner no.2.**

Petitioner no. 1 apprehends his arrest for the offences



alleged under Sections 307, 323, 324, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act, registered in connection with Barun P.S.Case No. 28 of 2022.

As per allegation, at the occasion of *panchayat* election, some altercation took place between the brother of the informant and co-accused Guddu Singh @ Amit Singh. In the evening, the accused persons came to *darwaza* of the informant and Guddu Singh @ Amit Singh fired from his pistol on the informant and he sustained injuries in his right thigh. He became unconscious. There is allegation against petitioner no.1 that he was threatening the informant.

The learned counsel for the petitioners has submitted that there is no allegation against petitioner no.1 of firing. Only allegation against him is that he was abusing and threatening the informant. The allegation of firing is against co-accused Guddu Singh @ Amit Singh. He has submitted further that there is case and counter case and members of the defense side have also sustained injuries.

On the other hand, learned counsel for the informant has submitted that petitioner no.1 has two criminal antecedents, to which the learned counsel for the petitioners submits that those are of minor Sections i.e. Sections 323, 341324, 504 and



506 of the Indian Penal Code.

Considering the fact that petitioner no.1 is not the assailant, there is case and counter case and members of the defense side have also sustained injuries, let petitioner no.1 above-named, in the event of his arrest or surrender within four weeks from the date of communication of this order, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Aurangabad in connection with Barun P.S.Case No. 28 of 2022, subject to the conditions as laid down under Section 438(2) Cr. P.C.

Office shall ensure that all the defects are removed by the petitioners within the stipulated time provided hereinabove, failing which the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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