

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35730 of 2021

Arising Out of PS. Case No.-512 Year-2020 Thana- BHAGWAN BAZAR District- Saran

1. Sheo Nath Rai, aged about 65 years (Male), Son Of Late Jagdish Rai, R/O Village- Daulatganj, P.S.- Bhagwan Bazar, District- Saran.
2. Butan Rai, aged about 60 years (Male), Son Of Late Jagdish Rai R/O Village- Daulatganj, P.S.- Bhagwan Bazar, District- Saran.
3. Rabindra Rai, aged about 35 years (Male), Son Of Vishwanath Rai, R/O Village- Daulatganj, P.S.- Bhagwan Bazar, District- Saran.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners	:	Mr. Mukesh Kumar Singh, Advocate
For the Opposite Party	:	Mrs. Indu Kumari Shrivastava, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-05-2022 Heard learned counsel for the petitioners and learned counsel for the State.

Learned counsel for the petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks.

Further, learned counsel for the petitioners is permitted to make necessary correction in paragraph no. 1 of the bail application, in course of the day.

The petitioners are apprehending their arrest in connection with Bhagwan Bazar P.S. Case No. 512 of 2020



registered for the offence under Sections 307/34 of the I.P.C. and Section 27 of the Arms Act.

The prosecution story, in brief, is on 30.11.2020 at about 11.15 P.M. in the night, three persons came on a Motorcycle near the informant and out of them, one person fired upon him causing injury on his the leg and hand.

It has been submitted by learned counsel for the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Due to village politics, the names of the petitioners have been dragged in the present case. General and omnibus allegation has been made against the petitioners. No specific overt act is alleged against the petitioners. Injuries are on non-vital part of body of the informant. Hence, no offence under Section 307 of the I.P.C. is made out in the present case.

On behalf of the State, it is submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, let the petitioners above named, in the event of arrest or surrender before the learned court below within a period of



twelve weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. I, Saran, Chapra, in connection with Bhagwan Bazar P.S. Case No. 512 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

