

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34743 of 2021

Arising Out of PS. Case No.-173 Year-2020 Thana- AGIAON District- Bhojpur

1. BALBIR SINGH S/O LATE MURLIDHAR SINGH R/o village- Poshwan, P.S.- Agiaon (G), District- Bhojpur
2. Ram Narain Singh S/o Late Ramdayal Singh R/o village- Poshwan, P.S.- Agiaon (G), District- Bhojpur

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-04-2022 Heard learned counsel for the petitioners and learned APP for the State.

Learned counsel for the petitioners is directed to remove the defect(s), as pointed out by the Office, within a period of four weeks.

A supplementary affidavit has been filed on behalf of the petitioners. The same be kept on record.

The petitioners are apprehending their arrest in a case registered under Sections 341, 323, 324, 307, 504 and 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that the accused persons fired at the informant but anyhow he saved himself but



some of the villagers got injured.

It has been submitted on behalf of the petitioners that the petitioners have got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. As per Annexure-A to the supplementary affidavit, a petition has been filed on behalf of the injureds in the Court below in which it has been stated that no injury is said to have been caused to them. So far informant is concerned, he was not injured in course of the occurrence. In the said circumstances, no offence under Section 307 IPC is made out. Rest of the offences are triable by the Magistrate.

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

Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of arrest/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/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara in connection with Agiaon (G) P.S. Case No. 173 of 2020, subject to the conditions as laid down



under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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