

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28374 of 2022

Arising Out of PS. Case No.-278 Year-2021 Thana- HARNAUT District- Nalanda

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1. SANJEET KUMAR @ GONU SON OF LATE RAM PYARE SINGH R/O VILLAGE- TEERA, P.S.- HARNAUT, DISTRICT- NALANDA
 2. VIKRAM SINGH SON OF LATE SAJEEVAN SINGH R/O VILLAGE- TEERA, P.S.- HARNAUT, DISTRICT- NALANDA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bindeswari Singh
For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 08-12-2022 Heard learned counsel for the petitioners and learned APP
for the State.

The instant application for anticipatory bail has been filed by the petitioners apprehending their arrest in connection with Harnaut Chero P.S. Case no. 278 of 2021 instituted for the offence under Sections 147, 148, 149, 341, 323, 324, 307 and 504 of the Indian Penal Code.

It is a case of assaulting and opening fire by petitioner no. 1 which hit the informant's brother Gautam Kumar @ Nityanand on his thigh and co-accused Sanjay Singh fired upon him which hit his stomach as a result of which he fell down unconsciously. He was taken to Primary Health Center, Harnaut and then referred to Sadar Hospital, Biharsharif for better treatment.



Learned counsel appearing on behalf of the petitioners has submitted that petitioners are innocent and have committed no offence. They have got no criminal antecedent. Petitioner no. 2 has not fired upon the informant's brother.

In contra, learned APP vehemently opposed the prayer of the petitioners.

Having heard learned counsel for the parties and considering the fact that against petitioner no. 2, namely, Vikram Singh, there is no allegation of firing against him, he is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Harnaut Chero P.S. Case no. 278 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Nalanda subject to the conditions as laid down under section 438(2) of the Cr.P.C.

So far as petitioner no. 1 is concerned, there is direct allegation of firing against him upon the informant's brother, this Court is not inclined to grant him anticipatory bail. His prayer for anticipatory bail is hereby rejected.

(Sunil Kumar Panwar, J)

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