

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44691 of 2021

Arising Out of PS. Case No.-114 Year-2021 Thana- PATEPUR District- Vaishali

1. SERAJ @ MD SERAJ Son of Late Samshul Haque Resident of Village - Bajitpur Kaizu, P.S. - Patepur, District - Vaishali.
2. Md. Thagan @ Md. Tufail @ Thagan Son of Late Md. Safi Resident of Village - Lohani Patti, P.S. - Patepur, District - Vaishali.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raghwendra Pratap Singh, Advocate

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2022 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.

Learned counsel for the petitioners seeks permission of the Court to withdraw the present application in respect of petitioner no. 1 as he has been taken into judicial custody.

The application is dismissed as withdrawn in respect of petitioner No. 1.

The petitioner No. 2 is apprehending his arrest in a case registered under Sections 147, 148, 149, 324, 307, 188 of



the Indian Penal Code and 27 of the Arms Act.

The prosecution allegation, in short, is that the accused persons, variously armed, fired due to which two persons sustained injuries.

It has been submitted on behalf of the petitioner No. 2 that he has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner No. 2. The petitioner No. 2 has been made accused due to mistake of fact. At the time of marriage ceremony, a firing was made which hit the videographer. The persons, who have made the firing, are not known. Altogether two named persons along with 50-60 unknown persons have been made accused in the present case. The petitioner no. 2 has been named in the F.I.R. only for the reason that he happens to be father of bride groom.

On behalf of the State, it is submitted that the petitioner No. 2 is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner No. 2, 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) with two sureties of the like amount each to the satisfaction of learned



Chief Judicial Magistrate, Vaishali in connection with Patepur
P.S. Case No. 114/2021, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Pankaj/-

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