

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42736 of 2022

Arising Out of PS. Case No.-364 Year-2019 Thana- SASARAM MUFFSIL District- Rohtas

1. NAGENDRA SINGH @ NAGENDRA CHOUDHARY Son of Siphai Choudhary Resident of vill.- Vajir Ganj, P.S. - Sasaram (M) Dist.- Rohtas.
2. Shayam Sunder Choudhary @ Shayam Sunder Singh Son of Late Ras Bihari Singh Resident of vill. - Vajir Ganj, P.S. - Sasaram (M) Dist. - Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ashok Kumar Pandey, Advocate
For the Opposite Party/s :	Mr. Md. Nazir Ansari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 13-12-2022 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

Let the defect(s), if any, be removed within a period
of four weeks.

The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 147, 148,
149, 323 and 307 of the Indian Penal Code and Sections 25(1-
b)a, 26 and 27 of the Arms Act.

Learned counsel for the petitioners submits that
petitioners have antecedent of one case.

The informant alleges that he received information
that 40-50 people are creating ruckus in the village and are
armed, accordingly, he reached the place of occurrence and on



inquiry came to know that named accused persons and 40-50 unknown accused assaulted the villagers and fled away after firing, further pistol and cartridges were recovered from the place of occurrence.

Learned counsel for the petitioners submits that petitioners have been falsely implicated in the present case. It is further submitted that from perusal of the allegation as alleged in the FIR, it would manifest that the name of the accused persons was not disclosed by the villagers, rather the police based on their own source have named the accused persons. It is next submitted that the allegation of firing is general and omnibus in nature and no one was injured in the alleged firing. It is also submitted that petitioners will cooperate in the investigation and will present themselves as and when required by the investigating officer.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned Court below within a period of six 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 court below where the case is pending/successor court in connection with Sasaram (M) P.S. Case No. 364 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

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