

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24634 of 2023

Arising Out of PS. Case No.-96 Year-2022 Thana- SAHARSA SADAR District- Saharsa

1. BIMLESH KUMAR Son of Sikendra Yadav Resident of Kahra Ward No.- 24, P.S. and District - Saharsa.
2. Rajdeep Yadav Son of Ramchandra Yadav Resident of Kahra Ward No.- 24, P.S. and District - Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Prasad Singh

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 07-07-2023 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioners is that they along with other accused fired upon one Avinash Kumar.

Learned counsel for the petitioners submits that petitioners are innocent and have been falsely implicated in this case. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. He submits that neither the informant nor his Driver had sustained any bullet



wound in his head although allegation of indiscriminate firing was alleged against six named and 5-6 unknown. He submits that the injury was found grievous in nature, the injury report was given by the private Doctor. There is Title Suit No. 468 of 2018, between the parties, pending in the Court below. Petitioners have criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for anticipatory bail.

Having regard to the facts and circumstances of the case, let the above named petitioners, be released on bail, in the event of their arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Saharsa P.S. Case No.96 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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