

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34035 of 2023

Arising Out of PS. Case No.-744 Year-2022 Thana- BARHARA District- Bhojpur

1. GUDDU SINGH Son of Dronacharya Singh Resident of village - Udaybhanpur, P.S. - Krishnagarh O.P (Barahra), Distt. - Bhojpur
2. Biraj Singh Son of Kripa Singh Resident of village - Udaybhanpur, P.S. - Krishnagarh O.P (Barahra), Distt. - Bhojpur

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Awadhesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Ram Sumiran Rai,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioners apprehend their arrest in connection with Barahara P.S. Case No. 744 of 2022 for the offence punishable under Sections 307/34 of the I.P.C. and 27 of Arms Act lodged on 27.10.2022 by the informant Ranjit Singh

The prosecution story is that the accused persons resorted to indiscriminate firing which however did not hit to anyone. The act was repeated when the informant's side were returning, however, again there was no injury.

As per the petition, there is a case and counter case and further, four days delay in lodging of the FIR which gave



time to implicate every member.

Learned APP for the State opposes the prayer.

Taking into account aforesaid facts, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

Let the petitioners, in the event of their arrest or surrender within a period of four weeks from the date of the receipt of the order shall be released on anticipatory bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of the Chief Judicial Magistrate, Bhojpur at Ara in connection with Barahara P.S. Case No. 744 of 2022 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his bona fide;

(ii) the petitioners shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of their bail bond by the Trial Court itself;

(iii) the petitioners shall appear before the concerned police station every fortnight for next six months to mark their



attendance;

(iv) the petitioners shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioners shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of their bail bonds.

With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Jagdish/Jyoti/-

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