

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51229 of 2022

Arising Out of PS. Case No.-588 Year-2021 Thana- GAURICHAK District- Patna

1. MAHESH KUMAR SINGH @ MAHESH SINGH S/o Late Chandrakhet Singh Resident of Village- Pipariya, P.S.- Gaurichak, District- Patna.
2. Chandan Kumar @ Chandan Singh @ Gohan Singh S/o Mr. Dinanath Singh Resident of Village- Pipariya, P.S.- Gaurichak, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Vaishnavi Singh,Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla,APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 11-01-2023 Heard Mrs. Vaishnavi Singh, learned counsel for the petitioners and learned APP for the State.

The petitioners apprehend their arrest in connection with Gaurichak P.S. Case No. 588 of 2021 for the offence registered under Sections 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution story, allegation against these petitioners as also one Pattalal @ Amarjeet Singh is of indiscriminate firing. The further allegation is that when the guard of the go-down where the informant lived as a painter came running, Pattalal @ Amarjeet Singh again resorted to firing and in both the cases, the informant alleges that it hit him.



Learned counsel for the petitioners has taken this Court to the Injury Report of the informant issued by Samford Hospital and Research Center to show that the said hospital did not found any bullet injury on the person of the informant.

Learned APP for the State, on the other hand, submits that although omnibus in nature but there is allegation against the petitioners.

Taking into account the submissions put forward by the learned counsel for the petitioners as also the Injury Report which does not show any sign of bullet injury, this Court is inclined to grant them relief.

Let the petitioners in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Patna City, District-Patna in connection with Gaurichak P.S. Case No. 588 of 2021 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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