

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62448 of 2022

Arising Out of PS. Case No.-261 Year-2021 Thana- GUTHANI District- Siwan

1. Awadh Bihari Singh, Son of Ram Janam Singh @ Ram Janam Ray, R/O Vill.- Jataur, P.S.- Guthani, Distt.- Siwan
2. Golu Tiwari @ Gaurav Nath Tiwari, Son of Sambhu Tiwari, R/O Chakiya, P.S.- Guthani, Distt.- Siwan
3. Ranjan Singh, Son of Vijay Pratap Singh, R/O Vill.- Jataur, P.S.- Guthani, Distt.- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Janardan Prasad Singh, Sr. Advocate Mr. Shailendra Kumar Singh, Advocate
For the Informant	:	Mr. Ajay Kumar Tiwari, Advocate
For the Opposite Party/s	:	Mr. Abhay Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 14-03-2023 At the outset, learned counsel for the petitioners seek permission to withdraw the anticipatory bail application with respect to above named petitioner Nos. 1 and 2.

Permission granted.

The anticipatory bail application with respect to above named petitioner Nos. 1 and 2 is dismissed as withdrawn.

Heard the parties.

Petitioner No. 3 apprehends arrest in a case registered for the offences punishable under Sections 341, 323, 307/34 of Indian Penal Code and Section 27 of Arms Act.

As per prosecution case, this petitioner along with



other accused persons abused the informant and made indiscriminate firing.

Both parties are co-villagers and due to old enmity and political rivalry, they have been implicated in this case. Though it is alleged that firing was made but no one sustained any fire arms injury. As such, no offence under Section 307 of the Indian Penal Code is made out.

Considering the fact that no one sustained any injury, let the above named petitioner No. 3 in the event of his arrest/surrender before the court below within a period of six weeks from today, be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Siwan in Guthani P. S. Case No. 261 of 2021, subject to condition as laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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