

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43366 of 2024

Arising Out of PS. Case No.-459 Year-2023 Thana- GURUA District- Gaya

1. Sanjeet Singh @ Sanjeet Sharma S/O Gaya Singh R/O Village- Bharaundha, P.O- Bharaundha, P.S- Gurua, Distt.- Gaya.
2. Ranjeet Singh @ Ranjeet Sharma S/O Gaya Singh @ Gaya Sharma R/O Village- Bharaundha, P.O- Bharaundha, P.S- Gurua, Distt.- Gaya.
3. Amrud Singh @ Anirudh Singh S/O Late Suryadeo Singh @ Surajdeo Singh R/O Village- Bharaundha, P.O- Bharaundha, P.S- Gurua, Distt.- Gaya.
4. Shankar Singh @ Nand Kishore Sharma @ Shankar Sharma S/O Ragho Sharma R/O Village- Alhan Parasi, P.S- Goh, Distt.- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shadab Akhter, Advocate

For the Opposite Party/s : Mr. Md. Fahimuddin, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 20-07-2024 Learned counsel for the petitioners seeks permission to withdraw the anticipatory bail petition with respect to Petitioner No. 3 since he has been arrested.

2. Permission is accorded.

3. Accordingly, the anticipatory bail petition with respect to Petitioner No. 3 is dismissed as withdrawn.

4. Heard learned counsel for Petitioner Nos. 1, 2 and 4 and learned A.P.P. for the State.

5. Petitioner Nos. 1, 2 and 4 apprehend their arrest in connection with Gurua P.S. Case No. 459 of 2023, instituted



under Sections 147, 148, 149, 341, 323, 325, 307, 504 & 506 of the Indian Penal Code and Section 27 of Arms Act.

6. As per the prosecution case, while informant was going to market to cut grass, petitioners along with F.I.R. named accused persons and eight unknown persons variously armed with weapon came and assaulted the informant and his family members. The accused persons also made firing.

7. Learned counsel for Petitioner Nos. 1, 2 and 4 submits that petitioners are innocent and have falsely been implicated in this case. Due to previous dispute the altercation took place between the parties in which both parties sustained injuries and there is case and counter case between the parties. He further submits that injuries sustained by the injured from the side of informant are simple in nature. There is no material against the petitioners to show that they are involved in the offence under Arms Act. Petitioner No. 4 has no criminal antecedent, however, Petitioner Nos. 1 and 2 are named in a complaint case in which they are on bail. Petitioners undertake to co-operate in the investigation.

8. Learned A.P.P. for the State opposes the prayer for anticipatory bail.

9. Considering the facts and circumstances of the



case and submission of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, Petitioner Nos. 1, 2 and 4 be released on bail upon furnishing bail bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court where the case is pending in connection with Gurua P.S. Case No. 459 of 2023, subject to the conditions laid down in Section 438 (2) of the Code of Criminal Procedure, 1973.

(Sunil Dutta Mishra, J)

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