

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57209 of 2024

Arising Out of PS. Case No.-601 Year-2023 Thana- RAJAON District- Banka

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1. Brajesh Choudhary son of Yugal Chaudhary Resident of village- Mirzapur, Ps- Barahat, Dist - Banka
 2. Dilkhush Kumar @ Gabbar son of Ramesh Yadav Resident of village- Mirzapur, Ps- Barahat, Dist - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate

For the Opposite Party/s : Mr. Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 11-09-2024 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

02. In the present case, the petitioners are apprehending their arrest in connection with Rajoun P.S. Case No. 601 of 2023, registered for the alleged offence under Sections 341, 323, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, while the informant was sitting outside of house in the evening, the petitioners came there on a motorcycle and abused the informant and opened fire in air.

04. Learned counsel for the petitioners submits that



petitioners are innocent and have been falsely implicated in this case. The allegations against the petitioners are not believable and no empty cartridges were found at the place of occurrence. The petitioners have been made accused due to village politics. Learned counsel further submits that petitioner no. 1 has got no criminal antecedent whereas petitioner no. 2 is having antecedent of one case in which he is on bail.

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

06. Having regard to the facts and circumstances and submission made on behalf of the parties and considering the vague nature of allegation and further possibility of false accusation, let the petitioners above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Rajoun P.S. Case No. 601 of 2023, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of



the petitioners.

(ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(Arun Kumar Jha, J)

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