

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58435 of 2023

Arising Out of PS. Case No.-43 Year-2023 Thana- CHAORI District- Bhojpur

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1. UPENDER BIND S/o Rajdev Bindu R/o Village-Babu Bandh Tola, P.S.-Chauri, Dist.-Bhojpur.
 2. JITENDER BIND S/o Rajdev Bindu R/o Village-Babu Bandh Tola, P.S.-Chauri, Dist.-Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar
For the State	:	Mr.Akshay Lal Pandit
For the informant	:	Mr. Uday Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 4 27-02-2024 1. Heard learned Counsel for the petitioners, learned Counsel for the Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out of Chauri Police Station Case No. 43 of 2023, dated 20.05.2023, disclosing offences punishable under Sections 341/323/504/307/34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The prosecution case, as per the First Information Report, is that on the instigation of the petitioners, co-accused Satendra Bind fired upon the husband of the informant, due to which he sustained fire arm injury and was



admitted in the hospital.

4. Learned Counsel for the petitioners submits that the petitioners have falsely been implicated in this case due to some altercation, which took place during the dance programme in a Tilak ceremony. He further submits that specific allegation of firing is upon co-accused Satendra Bind.
5. On the other hand, learned Counsel for the Opposite Party No. 2 vehemently opposes the prayer for anticipatory bail and submits that in the last line of the First Information Report, the informant has stated that her son, who was eye-witness, has informed her that the petitioners, along with other co-accused persons, have caused injury to his father.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that no specific overt act has been alleged against the petitioners and the specific allegation of firing is upon co-accused Satendra Bind, I am inclined to grant the petitioners privilege of anticipatory bail.
7. This application is, accordingly, allowed.
8. Let the petitioners, above named, in the event of their



arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 6th Additional Chief Judicial Magistrate, Bhojpur, at Ara, in connection with Chauri Police Station Case No. 43 of 2023, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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