

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13329 of 2015

Arising Out of PS.Case No. -131 Year- 2014 Thana -GOPALPUR District- PATNA

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1. Anil Singh @ Anil Kr. Singh aged about 46 years Son of Ram Bilash Singh@ Rajmee Singh resident of village Sona Gopalpur, P.s. Gopalpur, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Pathak

For the Opposite Party/s : Mr. Uday Chandra Prasad(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-06-2015

Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

The petitioner is in custody in connection with Gopalpur P.S. Case No. 131 of 2014 for the offences instituted under sections 147, 148, 149, 307, 302, 447, 504, 120(B) of the Indian Penal Code and section 27/30 of the Arms Act.

The prosecution story, in brief, is that on the alleged date of occurrence while the informant Rajesh Kumar @ Guddu was in his house and his father was giving fodder to his cow, the accused persons variously armed came there for taking forceful possession over a land. The informant and his father made protest on which accused Anil Singh gave order to kill them and started indiscriminate firing. Accused Manil Singh shot fire in the abdomen of father of the informant and when the informant

went there to rescue his father, he was shot by Anil Singh which hit in his hand. The informant's father succumbed to the injuries.

It has been submitted on behalf of the petitioner that the allegation against the petitioner is of making a single fire shot upon the informant which hit on his arm. There is no repetition of firing alleged against the petitioner. The injury sustained by the informant is on non vital part of the body. Hence, the petitioner had no intention to commit murder of the informant. It is further submitted that the petitioner has a clean antecedent and is in custody since 21.10.2014. No overt act is alleged against the petitioner for causing any injury upon the deceased.

Heard learned counsel for the State and the informant. It has been submitted that there is specific allegation against the petitioner for causing injury upon the informant.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Smt. Gayatri Kumari, Judicial Magistrate, 1st Class, Patna in connection with Gopalpur P. S. Case No. 131 of 2014.

(Sudhir Singh, J)

Amin/-

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