

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6000 of 2015

Arising Out of PS.Case No. -244 Year- 2014 Thana -GAURICHAK District- PATNA

1. Praveen Kumar @ Praveen Son of Ramdeep Singh, Resident of Mohallah - Sekhpura, P.s. - Gaurichak, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

with

Criminal Miscellaneous No.11111 of 2015

Arising Out of PS.Case No. -244 Year- 2014 Thana -GAURICHAK District- PATNA

1. Pramod Singh @ Jhagru Singh son of Sri Mundrika Singh, resident of village- Shekhpura, P.S. Gaurichak, District- Patna

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

(In Cr.Misc. No.6000 of 2015)

For the Petitioner/s : Mr. Anjani Kumar Sharan

For the Opposite Party/s : Mr. Gajendra Pd.Yadav(App)

(In Cr.Misc. No.11111 of 2015)

For the Petitioner/s : Mr. Abhay Kumar

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.App)

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

5 08-05-2015 Heard Mr. Krishna Prasad Singh, learned Senior Counsel for the petitioners, Mr. Bindhyachal Singh, learned counsel for the informant and learned APP for the State.

The petitioners seek their bail in a case registered under Sections 302 and other Sections of the IPC and Sections 27, 29 and 30 of the Arms Act.

Vikash Kumar, the informant, alleged that while he along with Tripurari, Murari, Rakesh and Sanjay was sitting on a



bridge, Sanjay, Mundrika Singh, Ramsinghshan Singh and Chote Singh came and they fired shot on Rakesh Singh. The informant further alleged that Chhote Singh including the petitioners fired. It is also alleged that Dipak Singh, Vikash @ Bhim Singh, Rajiv @ Lallu, Praveen Kumar (petitioner in Cr.Misc.No.6000 of 2015) and Pramod Singh @ Jhagroo (petitioner in Cr.Misc.No.11111 of 2015) made indiscriminate firing. Tripurari, Murari, Rakesh and Sanjay got fire arm injuries. Thereafter, Sadhu and Ravi are alleged to have assaulted Murari causing injuries.

Learned counsel for the petitioners submits that Pravin Kumar @ Pravin is also alleged to have fired but during the course of investigation, none of the witnesses disclosed that anybody was injured in the firing made by Pravin. Deepak Singh fired which hit Murari, who died. The firing made by Pramod Singh @n Jhagroo hit Sanjay causing injury.

It is submitted that no injury report of injured Sanjay has been collected during the course of investigation. Petitioner Praveen Kumar @ Praveen is in jail since 30.10.2014 and petitioner Pramodo Singh @ Jhagroo is in jail since 22.10.2014.

On the other hand, Mr. Bindhyachal Singh, learned counsel for the informant along with learned APP, however, oppose the prayer for bail but did not dispute the fact that firing made by Pramod Singh hit Sanjay. A photo copy of the injury report of Sanjay has been brought on record to show that he got intestinal perforation injuries but he was discharged after treatment on 3.11.2014.

Considering the facts that Pramod Singh injured Sanjay but Sanjay survived and he got injury in his abdomen and for that the petitioners are in jail for more than 7 months, the petitioners,

named above, are directed to 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 the Additional Chief Judicial Magistrate, Patna City at Patna in connection with Gaurichak P.S.Case No.244 of 2014.

(Prabhat Kumar Jha, J)

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