

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32541 of 2015

Arising Out of PS.Case No. -24 Year- 2015 Thana -NAWAKOTHI District- BEGUSARAI

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1. Surabhi Saurabh @ Chotu Singh @ Chatu Singh S/o Late Yugal Kishore
Singh R/o Naokothi, P.S. Naokothi, District Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. Hirday Pd.Singh(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

3 06-11-2015

Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 341, 323, 506, 307 and 386 of the I.P.C

Allegedly, the petitioner being armed with pistol came
and demanded Rs. 1,00,000/- from the informant, causing threats
to kill him, his wife and children and earlier also he has taken
money and when the informant refused started assaulting him with
barrel of pistol and when mother Chitralekha Sinha came for
rescue she was pushed and thereafter opened fire which was
missed and then assaulted with butt on his mouth, head and back,
any how the informant fled away and informed the police.

Submission is that the petitioner and the informant are
own brothers and he is being implicated in several cases at the

instance of his brother. No fire arm injury has been found on the person of the informant. No injury is tagged but the petitioner has been implicated in a case under section 307 I.P.C. The prosecution story appears not believable and reliable and as such the petitioner who is suffering in custody since 14.03.2015 deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner has got criminal antecedent.

In the facts and circumstances as stated above, considering that no fire arm injury has been caused and as alleged the petitioner assaulted the informant with butt of the pistol and as such the petitioner is directed to 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 Sri Rameshwar Mishra, J..M. 1st Class, Begusarai in Naokothi P.S. Case No. 24 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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