

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.40041 of 2015

Arising out of PS.Case No. -200 Year- 2015 Thana -MOTIHARI TOWN District- EAST
CHAMPARAN(MOTIHARI)

Saurabh Kumar @ Vicky, Son of Late Uma Shankar Lal, resident of
Mohalla - New Manaspuri Azad Nagar, Police Station - Motihari Town,
District - East Champaran.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Anil Kumar, Advocate.

For the Opposite Party : Mr. Smt. Suman Kumari Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 13-10-2015 Heard learned counsel for the petitioner and learned
counsel for the State

The petitioner is languishing in custody since 16.05.2015
in connection with Town Motihari P.S. Case No. 200 of 2015 for
the offences instituted under Sections 307 of the IPC and 27 of the
Arms Act.

The prosecution story, in brief, is that one Mukesh
Kumar aged about 19 years, Son of Jitan Raut of Village-
Gamhariya, P.S. Patahi, is residing in the house of the informant
and reads in D.A.V. School, where he has appeared in the
Intermediate Examination. On 26.03.2015 the informant was
watering the bricks in his house where the mason was constructing



the boundary wall in his house. In the meantime, at 11.30 A.M. a sound of firing was heard from outside. Thereafter, the victim after opening the main gate wanted to see what happened outside then one Saurabh Kumar, Son of Uma Shankar Lal, resident of Manasputi Mohalla with an intention to kill him fired on his head. Thereafter, he under unconscious position he has brought him to Sadar Hospital, Motihari, where treatment is being on and he has given information to the police. It has been also stated that Saurabh Kumar @ Vicky is a man of criminal nature and there is also apprehension that he can repeat such type of occurrence in the Mohalla. Hence, this case.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.05.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering with the evidence against the petitioner. As per prosecution, the petitioner has fired upon the victim but from perusal of the injury report it appears that the injury upon the victim is caused by hard and blunt substance.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

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 the learned C.J.M., East Champaran at Motihari in connection with Town Motihari P.S.Case No. 200/2015.

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(Sudhir Singh, J)