

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50459 of 2015

Arising Out of PS.Case No. -46 Year- 2015 Thana -UDWANTNAGAR District- BHOJPUR

=====

Madan Mohan Dubey, son of Late Sudama Dubey, resident of village-
Balaur, P.S.-Udwant Nagar, District-Bhojpur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Deepak Kumar

For the Opposite Party/s : Smt. Pronoti Singh(App)

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 21-12-2015

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Udwant
Nagar P.S. Case No. 46 of 2015 registered for the offences
punishable under Sections 323, 325, 326, 307, 504, 34 of the
Indian Penal Code and Section 27 of the Arms Act.

Allegedly, in the occurrence the petitioner opened
fire upon the informant causing injury in his left hand between
wrist and elbow.

Submission is of false implication due to land
dispute, no offence under Section 307 IPC is made out as there
was no intervening circumstances, the petitioner has not repeated
the firing and further no injury has been found on the vital part of
the body and the injury is simple in nature.

The learned A.P.P. opposes the prayer of bail by submitting that fire arm injury was caused to the informant by the petitioner.

In the facts and circumstances stated above, considering the detention of the petitioner since 13.05.2015 and further that charge-sheet has already submitted and there is no chance of tampering with the prosecution evidence, the petitioner above named is directed to be released on bail on execution of 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. Arrah, in connection with Udwant Nagar P.S. Case No. 46 of 2015, subject to the conditions that one of the bailors must be 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)

rohit/-

U		T	
---	--	---	--