

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48442 of 2014

Arising Out of PS.Case No. -231 Year- 2014 Thana -DINARA District- SASARAM (ROHTAS)

Sri Lal Ram S/o Late Kisun Ram

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar

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

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 07-04-2015 Heard learned counsel for the petitioner, learned counsel for the informant as well as learned Additional Public Prosecutor for the State.

The alleged occurrence is said to have taken place on 23.07.2014 and the informant claimed that petitioner and one co-accused, Jitendra Choudhary opened fire causing firearm injury on the private part of the informant's son. The similar statement has been repeated by the informant in his further statement and the witnesses who claimed to have reached on the place of occurrence just after the alleged occurrence also stated that they came to know that petitioner and co-accused, Jitendra Choudhary opened fire which is evident from perusal of paragraphs no. 6, 7 and 8 of the case diary. However, on 20.08.2014 one witness, namely, Ram Ekbal Singh claimed himself to be eye witness of the alleged

occurrence and stated that at the instigation of co-accused, Jitendra Choudhary, this petitioner opened fire on the injured. The investigating officer did not take pain to record the statement of injured.

No doubt, the injury report reveals that injured sustained firearm injury on his private part but it is obvious from perusal of para 41 of the case diary that injured sustained only one firearm injury.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Rajesh Pandey, Judicial Magistrate 1st Class, Bikramganj, Rohtas in connection with Dinara P.S. Case No. 231 of 2014.

(Hemant Kumar Srivastava, J)

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