

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.49371 of 2015

Arising Out of PS.Case No. -8 Year- 2015 Thana -NAWAKOTHI District- BEGUSARAI

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1. Sarvesh Singh son of Late Shashi Narain Singh Resident of Village -
Tekanpura, P.S. - Nawkothi, District - Begusarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Nilesh Kumar

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

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

4 14-12-2015

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

The petitioner seeks bail in connection with Naokothi
P.S. Case No. 08 of 2015 for the offences punishable under
Sections 341, 326 &307 of the Indian Penal Code.

Allegedly, the petitioner called Krishna Arjun Singh
@ Jhulan Singh, the son of the informant and shot him at his right
leg below the knee, resulting the son of the informant fell down on
the road and thereafter the petitioner opening two firing fled away.

Submission is of false implication due to previous
enmity, the petitioner has no concern with the alleged offence.
There was no intervening circumstance and the petitioner did not
shoot the injured on the vital part. The doctor has found one entry
wound and one exit wound in the right leg which is not dangerous
to life and as such the petitioner suffering in custody since

17.06.2015, deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that the petitioner caused fire arm injury to the injured which has been found grievous in nature.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence. The petitioner by remaining in custody now has been sufficiently penalized at this stage and as such the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Judicial Magistrate 1st class, Begusarai arising out of Noakothi P.S. Case No. 08 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 reasons shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Rajiv/-

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