

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21568 of 2015

Arising Out of PS.Case No. -53 Year- 2015 Thana -DINARA District- SASARAM (ROHTAS)

1. Sonu Singh @ Sonu Kumar son of Dilip Singh, resident of Village-Samuhati, Police Station-Dinara, District-Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-05-2015 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 307/34 of the Indian Penal Code and section 27 of the Arms Act.

The prosecution case is that the informant while enjoying the dance program during marriage ceremony of the sister of the petitioner, the firing was made in air by Ramlala Singh and this petitioner. While Ramlala Singh was loading the pistol and the petitioner was snatching the same from him, it was accidentally fired by Ramlala Singh causing injury to the informant.

It is submitted by the learned counsel for the petitioner that even assuming the accusation as stated in the FIR, no case under section 307 IPC is made out. The injury report suggests that

the informant was not conscious enough to give statement and since the marriage of petitioner’s sister was being performed on the alleged date of occurrence, there was no occasion for the petitioner to be engaged in such offence. Statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named petitioner be released on anticipatory bail in the event of arrest or surrender before the learned Court below within a period of twelve weeks from today on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned SDJM, Bikramganj, Rohtas in connection with Dinara P.S. Case No. 53 of 2015 subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Anil/-

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