

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29950 of 2014

Arising Out of PS.Case No. -24 Year- 2014 Thana -SARMERA District- NALANDA
(BIHARSHARIFF)

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Amit Kumar @ Saurabh Kumar, Son of Binod Prasad, Resident of Village -
Chhoti Malawan, P.S. - Sarmera, District - Nalanda

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Rana Baljit Singh, A.P.P.

For the Opposite Party/s : Mr. Veena Rani Pd., A.P.P.

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

2 19-01-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner, apprehending his arrest in connection
with Sarmera P.S. Case No. 24 of 2014 registered for the offences
punishable under Sections 342, 323 and 308/34 of the Indian Penal
Code, seeks the privilege of pre-arrest bail.

Allegedly, the petitioner and other F.I.R. named accused
persons being armed with weapons, surrounded the informant and
opened fire and thereafter, assaulted him as a result of which, he
became unconscious.

Submission is that the informant was in drunken
condition and he was abusing the villagers and some of the

domestic articles set on fire and the informant in that way got some injuries. There is no fire arm injury and moreover there was no intervening circumstance, so the offence under Section 308 of the Indian Penal Code is not attributed, to which the learned A.P.P. does not oppose.

In the facts and circumstances as stated above, considering the entirety of the case, the petitioner, in case of his arrest or surrender within two months from the date of receipt/production of the copy of this order, shall 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 Chief Judicial Magistrate, Biharsharif in connection with Sarmera P.S. Case No. 24 of 2014, subject to the conditions as laid down under Section 438(2) Cr. P.C.

(Jitendra Mohan Sharma, J.)

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