

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45220 of 2015

Arising Out of PS.Case No. -150 Year- 2015 Thana -DESARI District- VAISHALI(HAJIPUR)

1. Balbant Rai Son of Braj Kishore Rai Resident of Village- Taiyabpur,
P.S.- Desari, District- Vaishali at Hajipur (Bihar).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar

For the Opposite Party/s : Mr. Aditya Narayan Singh 1(App)

CORAM: HONOURABLE MR. JUSTICE NAVANITI PRASAD SINGH
ORAL ORDER

2 14-10-2015 The petitioner apprehends his arrest in relation to Desari

P.S. Case No. 150 of 2015, instituted under sections 147, 148,

149, 323, 504, 324, 447, 379 and 307 of the Indian Penal Code

and section 27 of the Arms Act.

Heard learned counsel for the petitioner and learned
counsel for the informant.

Learned counsel for the informant submits that there

is a lacerated wound on the informant. Learned counsel for the
petitioner points out that the allegation under section 307 of the
Indian Penal Code is totally misconceived, inasmuch as it is
alleged that the person, who fired from the rifle, used butt of the
rifle. This itself shows that no one had intention to kill. It is further
pointed out that the brother of the petitioner had much earlier

lodged another case against the informant, being Desari P.S. Case No. 80/15 and the present case is nothing but a retaliation thereto.

Be that as it may, in the event of arrest or surrender in the court below within four weeks, the above named petitioner shall be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, 1st Class, Vaishali at Hajipur, in connection with Desari P.S.Case No. 150 of 2015, subject to the conditions as laid down under section 438(2) of the Code of Criminal Procedure.

(Navaniti Prasad Singh, J)

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