

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3901 of 2015

Arising Out of PS.Case No. -131 Year- 2014 Thana -ATHMALGOLA District- PATNA

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Arun Ram son of Baudhu Ram resident of Village Debnarayanpur, Police
Station Athmalgola , District- Patna,.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dr. Manoj Kumar

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

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

7 18-05-2015 Heard learned counsel for the petitioner, the informant
and the State.

The petitioner is facing accusation punishable under
section 307 IPC in Athamalgola P.S. Case No. 131 of 2014. On
account of construction of a house the occurrence is said to have
taken place. The allegation is that after heated exchange of words
the petitioner fired from his pistol which hit the upper portion of
the chest of the victim (husband of the informant).

The contention of the petitioner is that he is languishing
in jail since 12.08.2014. The injury found on the person of the
victim was simple in nature. The charges have already been
framed and two prosecution witnesses have been examined.

The informant, on the other hand, vehemently opposed

the prayer. The doctor found the injury no.1 being wound of entry and another one being wound of exit.

Considering the facts and circumstances of the case, this Court while declining the relief, as prayed for, disposes of this application by the following order:-

“Let the prosecution examine all the prosecution witnesses within four months from the date of receipt/production of a copy of this order. The petitioner will present himself on all the dates fixed at the trial. In case the prosecution fails to examine all the prosecution witnesses within the aforesaid time, the trial court shall enlarge the petitioner on bail furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of Sub Divisional Judicial Magistrate, Barh in Athamalgola P.S. Case No. 131 of 2014 on condition that one of the bailors shall be his own/close family member. In the event of grant of bail, the petitioner shall continue to appear in person on the dates fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall cancel his bail bonds.”

(Kishore Kumar Mandal, J)

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