

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.21372 of 2015

Arising Out of PS.Case No. -114 Year- 2015 Thana -BHABHUA District- BHABHUA (KAIMUR)

1. Deo Kumar Jaiswal
2. Indrajeet Jaiswal, both sons of Rama Shankar Jaiswal, resident of village Odar, P.S. Sonhan, District - Kaimur at Bhabua.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. T.P.Mandal(APP)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-07-2015 Heard learned counsel for the petitioners and learned A.P.P. for the State.

The petitioners are in custody in a case registered under Sections 341, 323, 109 and 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in brief, is that on 9.3.2015 at 8.45 P.M. one Bhanu Jaiswal was coming back from attending marriage party of the daughter of Dharamraj Sah and when he reached at the Muslim Chowk he saw that Deo Kumar Jaiswal (petitioner no.1), Indrajeet Jaiswal (petitioner no.2), and other accused persons were found sitting and when Bhanu Jaiswal crossed the Muslim Chowk, then Rama Shankar Jaiswal and petitioner no.2 told to assault Bhabu Jaiswal, thereupon Raju Jaiswal and Banti Jaiswal caught the collar of his shirt and started assaulting him. Anyhow Bhanu Jaiswal started running from there. In the meanwhile, Akchhai Jaiswal, Deo Kumar Jaiswal (petitioner no.1) and Indrajeet Jaiswal started firing by

rifle and Katta. It is further alleged that after hearing the sound of firing, when he came out from his house, then he received gunshot injury on his hand and he fell down on earth. It is further alleged that when Niranjana Jaiswal came to rescue him, then the said three accused again fired causing injury in the left leg of Niranjana Jaiswal and when the villagers turned up, the accused persons escaped. The motive behind the alleged occurrence is that the accused persons were pressurizing the informant and his family members for withdrawing the earlier case lodged against them; otherwise threatened to face the consequences.

It has been submitted on behalf of the petitioners that the petitioners are in custody since 8.4.2015 and charge sheet has been submitted in the case. It has further been submitted that other co-accused has been granted bail by the court below itself.

On behalf of the State, it has been submitted that the petitioners are named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Kaimur at Bhabua, in connection with Bhabua P.S. Case No.114 of 2015, G.R. No.440/15.

(Sudhir Singh, J)

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