

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.23332 of 2015

Arising Out of PS.Case No. -164 Year- 2015 Thana -AGAMKUAN District- PATNA

1. Birendra Singh @ Birendra Kumar S/o Sri Krishna Kishore Resident of
2H/36, Bahadurpur Housing Colony, Mahatma Gandhi Nagar, P.S.
Agamkuan, District Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md.Imteyaz Ahmad

For the Opposite Party/s : Mr. Ashraf Ansari (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 08-06-2015 A written complaint was given by Manoj Rai in which

he has alleged that on 14-4-2015 he got a message about his elder
brother regarding Marpit on his mobile. He reached at his
residence and saw the petitioner and his father there. It has been
further alleged that Dr. Krishna Kishore handed over pistol to his
son Birendra Singh(petitioner) and ordered to kill on which said
Birendra fired 4-5 pellets, one of them hit Kaushal Rai, as a result
of which he sustained injury and was removed to Rajeshwar
Hospital.

It has been submitted on behalf of the petitioner that
there is a case and counter-case, and the counter-case lodged by

the father of the petitioner is Annexure-3 to the present application.

It has been further submitted on behalf of the petitioner that the informant's side is the aggressors, and the petitioner in order to save his life, compelled to fire in course of occurrence.

Further, from Annexure-4 to the supplementary affidavit, it appears that the injury sustained by the informant in course of the occurrence is on the left thigh, which is not a vital part of the body. Further, the injuries indicate that they are simple in nature.

On behalf of the State it is submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, let the petitioner Birendra Singh @ Birendra Kumar be released on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Patna City in Agamkuan P.S. Case No. 164/15

(Sudhir Singh, J)

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