

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48184 of 2015

Arising Out of PS.Case No. -150 Year- 2015 Thana -NARPATGANJ District- ARRARIA

1. Dharmendra Yadav son of Krishna Ballav Yadav, resident of village-
Khaira Koshakapur, P.S.- Narpatganj, District- Araria

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Rana

For the Opposite Party/s : Mr. Md. A.Haque Sahara (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 07-12-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offence punishable under section 307 of the I.P.C and section 27 of the Arms Act.

In the fardbeyan the informant alleged that when he was sitting on the motorcycle with the petitioner and was watching Bhagait (a type of Yagya) then some unknown shot him resulting he became unconscious and when he regained conscious he found himself admitted in Sadar Hospital, Purnea and then gave his fardbeyan. During investigation in further statement the informant named the petitioner that he opened fire which hit him.

Submission is of false implication and that after consultation the informant named the petitioner after lapse of one

month. The witnesses disclosed the name of the petitioner during course of investigation but they have not disclosed this fact at the time of lodging of the F.I.R, up till now there is no injury report of the informant and as such the petitioner who is suffering in custody since 21.07.2015 deserves sympathetic consideration as charge sheet has been submitted without the injury report.

The learned A.P.P. fairly submits that without the injury report charge sheet has been submitted and the name of the petitioner was taken by the informant after much delay.

In the facts and circumstances as stated above, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Araria in Narpatganj P.S. Case No. 150 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

Abhay/-

U		T	
---	--	---	--