

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32992 of 2015

Arising Out of PS.Case No. -240 Year- 2014 Thana -MAIRWA District- SIWAN

Sandeep Kumar Dubey, Son of Prabhunath Dubey, resident of village -
Anugrah Nagar Darauli Road, P.S. - Mairwa, District -Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajiv Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary-1(APP)

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

2 20-08-2015 Heard learned counsel for the petitioner and the

learned counsel for the State.

The petitioner is apprehending his arrest in connection with Mairwa P.S. Case No.240 of 2014 for allegedly having committed the offence under Sections 324, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that a plain perusal of the F.I.R. reveals that the informant was shot at from behind and it is only on suspicion that the name of the present petitioner has been brought in making malicious allegation that it was the petitioner who fired upon the informant. Learned counsel further submits that in the wake of the fact that the

informant was shot at from behind, the informant could not have seen a person who was fleeing away.

Considering the nature of allegations made against the petitioner and also the fact that the petitioner has got clean antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of three weeks from the date of receipt/production of a copy of this order, 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 the learned Chief Judicial Magistrate, Siwan, in connection with Mairwa P.S. Case No.240 of 2014, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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