

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.55277 of 2015

Arising Out of PS.Case No. -207 Year- 2014 Thana -SALKHUA District- SAHARSA

Sushil Kumar S/o Ram Ratan Yadav,

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhaskar Shankar, Advocate

For the Opposite Party/s : Mr. Anish Chandra(App)

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 07-12-2015

Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 307, 504, 506, 147, 148, 149 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that on the order of co-accused Bijay @ Bijal Yadav, Hare Ram Yadav fired on the informant whereas the firing made by the petitioner caused injury to one Kamaleshwari Yadav.

It is submitted by learned counsel for the petitioner that the injured have not been examined by the doctor and there is no injury report on record. Moreover, a statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the aforesaid facts, let the above named

petitioner be released on provisional anticipatory bail for three months, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Saharsa in connection with Salkhua P.S. Case No.207 of 2014, subject to the conditions as laid down under Section 438(2) Cr.P.C.

The provisional bail of the petitioner will be confirmed by the learned court below on verification of the fact that injured Kamleshwari Yadav has not received any gun-shot injury. But, if it is found that he has received gun-shot injury then the petitioner will surrender and pray for regular bail.

(Dinesh Kumar Singh, J)

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