

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31615 of 2015

Arising Out of PS.Case No. -256 Year- 2014 Thana -PHULPARAS District- MADHUBANI

1. Nagar Ram @ Bishundeo Ram @ Negra Ram Son of Sohbir Ram
Resident of Village Phulkahi, P.S.- Phulparas, District Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Jha

For the Opposite Party/s : Mr. Pramod Kr.Pandey(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 04-11-2015 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Phulparas
P.S. Case No. 256 of 2014 registered for the offence punishable
under Sections 384, 307/34 of the Indian Penal Code and Section
27of the Arms Act.

Allegedly, for purchasing drink the petitioner and co-
accused demanded ransom of rupees five thousand from Dilip
Kumar Mandal the son of the informant and when he refused, co-
accused Ajay Garai caught Dilip Kumar Mandal and the petitioner
opened fire which hit in the neck and thereafter, the injured was
brought to Phulparas and from there he was referred to DMCH,
Darbhanga.



Submission is of false implication and that without injury report chargesheet has been submitted. In supplementary case diary up to paragraph 52 no injury report has been received. The statement of injured has been recorded in paragraph 43 of the supplementary case diary wherein he has stated that he was treated at PMCH, Patna from 21.09.2014 and he was discharged on 15.10.2014 and there his name was mentioned as Vinod Kumar Mandal though it is not a case of the informant and before that it has not come that the injured has got alias name as Vinod Kumar Mandal and this name is manipulation. Co-accused Ajay Garai has already been granted bail vide Cr. Misc.No. 4189 of 2015 by another co-ordinate Bench of this Court.

Learned APP opposes the prayer of bail by submitting that the petitioner has caused firearm injury to the injured on his neck.

In the facts and circumstances stated above, considering that up-till-now no injury report is attached with the case diary which is available up to dated 15.05.2015 and the petitioner is suffering in custody since 24.02.2015 and against him chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/-

(ten thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M., Jhanjharpur in connection with Phulparas P.S. Case No. 256 of 2014, 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)

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