

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6092 of 2016

Arising Out of PS.Case No. -205 Year- 2015 Thana -SONBERSA District- SITAMARHI

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1. Lalu Paswan @ Lal Babu Paswan son of Laxmi Paswan R/o village -
Lohkhar, P.S. - Sonbarsa, District - Sitamarhi.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha

For the Opposite Party/s : Mr. Nawal Kishore Pd.(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 27-04-2016 Heard the learned counsel for the petitioner as well as

the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 147, 148, 149 and 307 of the I.P.C and
section 27 of the Arms Act.

Allegedly, the petitioner shot Rahul Kumar, the
informant, in his right knee and co-accused Pappu Sahani shot
Ranjit Kumar.

Submission is of false implication and that no offence
under section 307 I.P.C. is made out, prior to institution of this
case Sonbarsa P.S. Case No. 203 of 2015 was instituted by the
wife of the present petitioner under sections 307 and 354 B of the
I.P.C against Nagendra Bhagat and others and the present

informant is supporter and only due to rivalry the petitioner has been implicated resulting he is suffering in custody since 23.12.2015, the injury found on the person of the informant is simple in nature and moreover the case has been compromised.

The learned A.P.P. opposes prayer for bail by submitting that the petitioner has caused fire arm injury to the informant.

In the facts and circumstances as stated above, the petitioner shall be released on bail, **after completion of six months in custody**, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M. Sitamarhi in Sonbarsa P.S. Case No. 205 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)

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