

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15456 of 2016

Arising Out of PS.Case No. -59 Year- 2015 Thana -JAGDISHPUR District- BHAGALPUR

1. Shekhar Rai @ Shekhar Pd. Rai Son of Gopal Rai, Resident of Village -
Mokhna, P.S. - Jagdishpur, District - Bhagalpur. Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Subodh Prasad

For the Opposite Party/s : Mr. Manish Kr. 2(App)

For the Informant : Mr. Ranjan Kumar Jha, Advocate

**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 20-05-2016 Heard learned counsel for the petitioner and learned APP
for the Sate.

The petitioner seeks bail in connection with Jagdishpur
P.S. Case No. 59 of 2015 registered for the offences punishable
under Sections 447, 307, 120B/34 of the Indian Penal Code and
Section 27of the Arms Act.

Allegedly, in the occurrence the petitioner shot Amit
Kumar Sharma with intention to kill him causing injury towards
right side of chest.

Submission is of false implication and that the petitioner
has got no criminal antecedent and there was no intention to
commit murder and as such offence under Section 307 of the
Indian Penal Code is not made out, the petitioner is a poor farmer,
there is no allegation of repeating the firing and as such he being

in custody since 15.12.2015 deserves sympathetic consideration to which learned APP duly assisted by learned counsel for the informant opposes by submitting that firearm injury has been found by the doctor also and the injured in his statement has also supported the allegation.

In the facts and circumstances stated above, the petitioner above named **shall be released after completion of nine months custody from the date of his remand** 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 Chief Judicial Magistrate, Bhagalpur in connection with Jagdishpur P.S. Case No. 59 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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