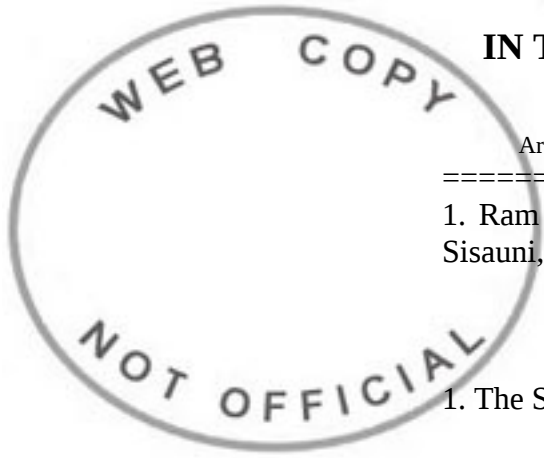




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13182 of 2016

Arising Out of PS.Case No. -287 Year- 2015 Thana -BAKHRI District- BEGUSARAI

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1. Ram Charitra Mahton son of Moti Mahto resident of village- Lauchhe
Sisauni, P.s.- Bakhari, District- Begusarai

..... Petitioner/s

Versus

1. The State of Bihar

..... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Mukesh Kumar Jha

For the Opposite Party/s : Mr. R.P.S.Singh(App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 11-05-2016 Heard the learned counsel for the petitioner, the

learned A.P.P for the State as also the learned counsel for the

Informant.

The petitioner seeks bail in a case for the offences

punishable under sections 341, 323, 324, 506, 307 and 379/34 of

the I.P.C

Allegedly, the petitioner, co-accused Sanjay Sah and

Dablu Kumar on the motorcycle came and overtook the

motorcycle of the informant which was being driven by his son

Shyam and thereafter they opened fire which hit the informant on

his right and left shoulder and further attempt was made on the son

of the informant also. The motive behind the occurrence is due to not compromising the case.

Submission is of false implication and that there is no specific allegation against the petitioner, admittedly there is land dispute, Title Suit No. 59 of 2014 is going on between the parties, no offence under section 307 of the I.P.C. is made out and section 379 of the I.P.C. is super addition, the petitioner has got no criminal antecedent and he is suffering in custody since 08.12.2015.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes prayer for bail by submitting that the petitioner and two co-accused opened fire resulting the informant sustained fire arm injury and the injuries have been found grievous in nature caused by the fire arm and further one bullet is still inside the body of the informant.

In the facts and circumstances as stated above, **the petitioner shall be released on bail after completing nine 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 S.D.J.M. Begusarai in Bakhari P.S. Case No. 287 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)

Abhay/-

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