

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.15072 of 2016

Arising Out of PS.Case No. -271 Year- 2013 Thana -DINARA District- SASARAM (ROHTAS)

1. Rameshwar Singh @ Lallu Singh son of Bhukhi Singh Resident of Village- Bhanas, P.S.- Dinara (Bhanas O.P.) District- Rohtas, (Sasaram).

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Durgesh Nandan, Advocate

For the Opposite Party/s : Mr. Asha Devi(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 27-06-2016 Heard learned counsel for the petitioner, learned A.P.P. representing the State and the learned counsel for the informant.

The petitioner seeks bail in connection with Dinara (Bhanas O.P.) P.S. Case No. 271 of 2013 registered for the offences punishable under Sections 147, 148, 149, 342, 324, 307 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that with an intention to kill the informant, he opened fire which hit left side of chest of the informant and thereafter, the petitioner and other co-accused fled away.

Submission is of false implication due to previous enmity, earlier the petitioner was made accused along with his family members and they were convicted by Sessions Trial No.

263 of 1987 however, vide Cri. Appeal (DB) No. 552 of 1989 they have been acquitted vide judgment dated 08.09.2011 and thereafter, again the petitioner and others have been implicated in this case. The doctor who had first treated the informant has disclosed that the injury, caused by hard and blunt object, is simple in nature and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer of bail by submitting that petitioner was referred to PMCH and after completing investigation, chargesheet has been submitted under Section 307 IPC and 27 of the Arms Act.

In the facts and circumstances stated above, considering the injury report which is mentioned in para-17 of the case diary, 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 Judicial Magistrate, Bikramganj (Rohtas) in connection with Dinara (Bhanas O.P.) P.S. Case No. 271 of 2013 subject to the conditions that one of the bailors must be 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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