

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23320 of 2016

Arising Out of PS.Case No. -85 Year- 2016 Thana -SONEPUR District- SARAN

Munchun Rai @ Narendra Kumar son of Birendra Rai, Resident of village-
Pahari Chak, P.S. Sonpur in the District of Saran

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Braj Nandan Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Pronoti Singh(APP)

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 26-05-2016 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Petitioner is languishing in jail custody since
01.03.2016 in connection with Sonapur P.S. Case No. 85 of
2016 registered for the offences punishable under Section
307 and other allied sections of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case, in brief, is that while the
house of the informant was being constructed, accused
persons came there and objected by saying that construction
is being made on their land. The next morning, accused
persons called the informant on the spot and started

threatening and abusing as also pushed him on the ground and petitioner fired which hit on the leg of the informant causing injury.

It has been submitted by the counsel for the petitioner that petitioner is innocent and has been falsely implicated in the aforesaid case due to previous enmity with regard to land dispute. He further submits that the injury found on the person of the informant is on the non-vital part of the body and is simple in nature, as is evident from the injury report. It has been further submitted that no case under Section 307 of the Indian Penal Code is made out and the matter relates to civil dispute between the parties. He submits that petitioner is a man of means and undertakes not to tamper with the evidence or abscond.

However, learned A.P.P. for the State submits that the petitioner along with other co-accused has been named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount

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each to the satisfaction of the learned Additional Chief
Judicial Magistrate, Chapra in connection with Sonapur P.S.
Case No. 85 of 2016.

(Nilu Agrawal, J.)

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