

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53831 of 2015

Arising Out of PS.Case No. -275 Year- 2015 Thana -FATEHPUR District- GAYA

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Shambhu Pandey @ Shambhu Son of Late Kailash Pandey r/o Village
Naudiha Sultanpur, P.S. Fatehpur District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Ashutosh Singh

For the Opposite Party/s : Mr. Kalyan Shankar(App)

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

3 18-01-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

Petitioner seeks bail in connection with Fatehpur
P.S. Case No. 275 of 2015 registered for the offences under
Sections 341, 323, 307, 504, 34 of the Indian Penal Code and
Sections 25(1-b)a, 26/27 of the Arms Act.

To compromise the case the petitioner opened firing
in the air to terrorize the informant and his family members and
further caused firearm injury in the hand and thigh of the
informant and also assaulted the mother of the informant.

Submission is of false implication and the petitioner
has been implicated after implanting firearm, resulting, he is
suffering in custody since 7.8.2015.

Learned A.P.P. opposes the prayer of bail by

submitting that the petitioner was caught with pistol and was hander over to the Police and further on the person of the informant bullet injury has been found.

In the facts and circumstances state above, considering that on the vital part of the informant no injury has been found and as such the petitioner above named is directed to be released on bail **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, Gaya in connection with Fatehpur P.S. Case No. 275 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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