

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57919 of 2015

Arising Out of PS.Case No. -591 Year- 2015 Thana -HAJIPUR District- VAISHALI(HAJIPUR)

1. Ronit Kumar @ Bhulla S/o Shri Anil Rai @ Munna Rai R/o Mahua Chowk, S.D.O. Raod, P.s Hajipur town, Distt Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Chandra Gandhi, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 04-01-2016 Heard learned counsel for the petitioner and the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 341, 323, 307, 379/34 of the Indian Penal Code.

The prosecution case is that petitioner fired at the informant but did not cause any injury, but subsequently assaulted with butt of the revolver, causing injury on the head of the informant.

It is submitted by the learned counsel for the petitioner that from perusal of the First Information Report it appears that the petitioner has no intention to kill him. There is no injury report on the record. Statement to that effect has been made in para-9 of the petition which reads as follows:-

“That no case is made out under Section 307 of the IPC because

there is no injury on record. Petitioner humbly states and submits that informant has not sustained any injury. Only for the purpose of making the case serious such type of allegation of firing and assault has been levelled. Section 379 of the I.P.C. is super addition”.

It is submitted by the learned counsel for the petitioner that the informant has retracted from the initial version and filed a petition to that effect before learned court below. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent. Petitioner is a student and having academic career.

Considering the aforesaid facts, let the above named petitioner be released on bail in the event of his arrest or surrender before the learned court below within a period of twelve weeks from today, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 591 of 2015, subject to conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Dinesh Kumar Singh, J)

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