

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5213 of 2016

Arising Out of PS.Case No. -227 Year- 2015 Thana -GIRIYAK District- NALANDA
(BIHARSHARIF)

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Gautam Kumar Singh, son of Sri Bhushan Singh, resident of Village -
Katauna, P.S. - Katrisarai (Griyak), District - Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner : Mr. Pravin Kumar, Advocate
For the S t a t e : Mr. Anil Kumar Singh 1(APP)
For the Informant : Mr. Binod Kumar, Advocate

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

6 21-06-2016 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State. Learned
counsel for the informant is also present.

The petitioner is apprehending his arrest in connection
with Griyak (Katrisarai) P.S. Case No.227 of 2015 for allegedly
having committed the offence under Sections 147, 148, 149,
379, 307, 302, 504, 506 of the Indian Penal Code and Section 27
of the Arms Act.

Case diary in the present case was called for, which
has since been received.

Learned counsel for the petitioner submits that
thoughthere is an allegation against the petitioner of having fired



which hit on the thigh of one Ranjay Kumar, there was no specific intention of killing the injured victim and there was no repetition of firing. It is further submitted that the prosecution as made out also stands belied by the fact that in the F.I.R. it has been stated that the petitioner as well as other named accused persons had come to the doorstep of the informant for attacking them, but on perusal of the case diary it appears that actually the firing had taken place from the roof of accused Mukesh Singh and Ranjay Kumar. The police in course of investigation have also seized the empty cartridges from the roof of Mukesh Singh. So far as the petitioner is concerned, he is alleged to have given a single bullet injury on the thigh of Ranjay Kumar. It appears from the injury report, which is annexed with the case diary, that the injuries have been found to be simple in nature. Furthermore, the wife of said Ranjay Kumar has stated that actually the attack had taken place from the roof of Mukesh and not near the doorsteps of the informant and the present petitioner

Considering the entire gamut of circumstances and the nature of allegations and also the fact that the present petitioner has got no criminal antecedents, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of

receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda at Biharsharif, in connection with Griyak (Katrisarai) P.S. Case No.227 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

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