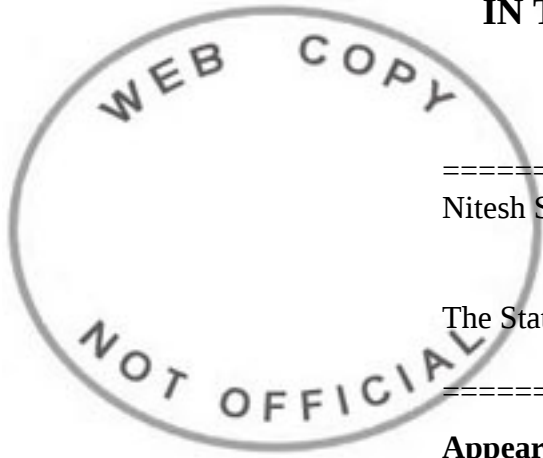




IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22689 of 2016

Arising Out of PS.Case No. -38 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

=====

Nitesh Singh, son of Ramadhar Singh			Petitioner/s
	Versus		
The State of Bihar			 Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Anil Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey (App)

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 20-05-2016 Heard learned counsels for the petitioner and the State.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 147, 148, 149, 447, 448, 341, 323, 307, 379, 504, 506 of the Indian Penal Code and 27 of the Arms Act.

Prosecution case is that on 30.12.2014 the informant was sleeping in his house when the petitioner and other accused persons entered into the house and pulled the quilt from the mouth of the informant when co-accused Ram Pravesh Singh fired with pistol on the face of the informant, as a result, he received injuries near his nose. On protest being made by the wife of the informant

the petitioner Nitesh Singh fired but it did not hit the informant since the informant's wife pulled the informant. The accused persons also took away Rs.20,000/- from the informant.

It is submitted by learned counsel for the petitioner that for the occurrence of 30.12.2014, the FIR was registered on 21.02.2015, which came to be registered as police case 21.02.2015. The accusation has been levelled in the background of land dispute. Admittedly, the petitioner did not cause any injury though he is alleged to have fired on the informant. A statement has been made in paragraph 3 of the petition that the petitioner has no criminal antecedent.

Considering the delayed lodging of the case and firing by the petitioner did not cause any injury to the informant, coupled with a statement made in paragraph no.3 of the petition that the petitioner has no criminal antecedent, let the above named petitioner be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 12 weeks from today, on furnishing bail bond of ₹10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-IV, Motihari, in connection with Madhuban P.S. Case

No.38/2015, subject to the conditions as laid down under Section
438(2) Cr.P.C.

(Dinesh Kumar Singh, J)

Ashwini/-

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