

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37773 of 2016

Arising Out of PS.Case No. -135 Year- 2015 Thana -LALGANJ District- VAISHALI(HAJIPUR)

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Babbu Thakur, S/o Arjun Thakur, resident of village - Pojhiya, P.S.
Lalganj, District Vaishali

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ratanakar Jha, Advocate

For the Opposite Party : Mr. Smt. Gulnar Begam (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 22-09-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Lalganj
P.S Case No. 135 of 2015 registered for the offences punishable
under Sections 341, 325, 324, 384, 307, 379/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Allegedly, due to non-payment of extortion amount,
the petitioner opened fire which hit near left knee and other also
opened fire but did not hit and further the petitioner snatched Rs.
8,000/- whereas other co-accused snatched golden chain valuing
Rs. 53,000/-.

Submission is of false implication and that due to
political rivalry the petitioner has been implicated. The petitioner
was the supporter of another candidate whereas the informant was

supporter of another candidate. However, the matter has been compromised, a compromise petition has also been filed, injury report goes to show that no grievous injury was found, the petitioner is in custody since 27.06.2016 and, as such, the petitioner deserves sympathetic consideration.

Learned A.P.P opposes the prayer of bail by submitting that fire arm injury has been found on the left knee and opinion has been kept reserved and further from the place of occurrence also one empty cartridge and anterior portion of the bullet were recovered which were seized .

In the facts and circumstances stated above, considering the aforesaid injury, at present, I am not inclined to enlarge the petitioner on bail and accordingly, his such prayer stands rejected, in connection with Lalganj P.S Case No. 135 of 2015, pending in the Court of learned Chief Judicial Magistrate, Vaishali at Hajipur.

However, the petitioner may be at liberty to renew his prayer for bail after remaining nine months in custody.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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