

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31589 of 2016

Arising Out of PS.Case No. -193 Year- 2015 Thana -BARGANIA District- SITAMARHI

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1. Ram Babu Singh Son of Late Parmeshwar Singh resident of village -
Marapa Tahir, P.S. Bairganiya, District - Sitamarhi Petitioner

Versus

1. The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma

For the Opposite Party/s : Mr. Sri Satyadev Prasad Singh Yadav

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 15-09-2016

Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Bairganiya
P.S. Case No. 193 of 2015 registered for the offences punishable
under Sections 147, 148, 149, 326, 307 of the Indian Penal Code
and Section 27 of the Arms Act.

Allegedly, the petitioner and other co-accused named in
the FIR came being armed and the petitioner fired upon the
informant causing injury in the left shoulder of the informant, on
alarm being raised by the informant the accused persons fled
away. The injured was brought to Bairganiya by the villagers.

Submission is of false implication and that no offence
under Section 307 IPC is made out, the doctor has reserved the
opinion regarding nature of injury and referred the informant to
Sadar Hospital, Sitamarhi. Investigation has already been

completed and the petitioner has surrendered voluntarily on 27.05.2016 and since then he is in custody. There was no intention to commit murder, there is no repetition of firing and as such the petitioner deserves sympathetic consideration to which learned APP duly assisted by learned counsel for the informant opposes by submitting that the bullet was retracted after making operation and as such the petitioner does not deserve bail.

In the facts and circumstances stated above, at this stage, this Court is not inclined to enlarge the petitioner on bail, accordingly, his such prayer stands rejected.

However, the petitioner may renew his prayer of bail after completing nine months in custody from the date of his remand.

(Jitendra Mohan Sharma, J)

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