

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47994 of 2016

Arising Out of PS.Case No. -87 Year- 2015 Thana -BIHARSHARIF District- NALANDA
(BIHARSHARIFF)

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Rajnish Kumar Son of Jang Bahadur Singh alias Jang Bahadur Paswan
Resident of Mohalla - Narsaliganj, P.S. Bihar, District Nalanda.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samir Kumar Sinha

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE MR. JUSTICE KISHORE KUMAR
MANDAL
ORAL ORDER

3 06-12-2016 Heard the counsel for the petitioner and Mr.
Madhuranand Jha, APP for the State.

The petitioner prays for bail in Bihar P.S. Case No. 87
of 2015 registered initially under sections 324 & 379 including
section 27 of the Arms Act, but later the charge-sheet was
submitted under section 307 IPC.

On account of a dispute relating to possession of the
land, the occurrence is said to have been committed in which the
allegation against the petitioner is that he fired causing injury in
the left arm of the informant.

The contention of the petitioner is that it was a case
where both parties asserted their right over the land and in course



whereof the occurrence was committed. Although the informant has alleged that the prosecution party had criminal record, but the petitioner has no criminal history. Co-accused Santosh Goswami who is said to have caused injury to Chotu by means of firearms has since been released on bail by the learned court below. Refereeing to paragraph 3 of the bail petition, it has been asserted that the petitioner has no criminal background and he is languishing in jail custody since 21.08.2016.

Considering the facts and circumstances of the case, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of CJM, Nalanda in Bihar P.S. Case No. 87 of 2015 on condition that one of the bailors of the petitioner shall be his own/close family member. In the event of framing of charge, the petitioner shall appear in person on each date fixed at the trial. In case of default in doing so on two consecutive dates, the trial court shall have liberty to cancel his bail bonds and secure his arrest in accordance with law.

(Kishore Kumar Mandal, J)

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