

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29619 of 2016

Arising Out of PS.Case No. -79 Year- 2015 Thana -CHAUTHAM District- KHAGARIA

Santoh Kumar Singh, Son of Ramji Singh, resident of village - Baraney
Sthan, P.S. Choutham, District - Khagaria

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Shree Niwas Singh, Advocate

For the Opposite Party/s : Mr. Sri Braj Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 26-07-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered under
Sections 341, 323, 307, 504, 506, 324/34 of the Indian Penal Code
and 27 of the Arms Act.

Petitioner is said to be armed with rifle at the time of
alleged occurrence and opened fire on the informant but the
informant escaped unhurt. Thereafter, one co-accused Ritesh
started assaulting the informant by means of Phatta causing injury
on his head. It is alleged that this petitioner too assaulted the
informant with butt of rifle. Furthermore, two other injured were
assaulted by the petitioner and his associates.

The alleged occurrence appears to have taken place on

account of cutting bamboo trees.

No doubt, there is allegation against the petitioner that he assaulted the informant with butt of rifle but according to the prosecution case itself, it was co-accused Ritesh, who gave injury on the head of the informant. Moreover, the informant sustained altogether four injuries but only one injury was found on the head of the informant. The doctor opened that the aforesaid injury was grievous in nature as the same was dangerous to life of the informant.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner above named be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Khagaria in connection with Choutham P.S. Case No.79 of 2015.

(Hemant Kumar Srivastava, J)

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