

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34329 of 2016

Arising Out of PS.Case No. -71 Year- 2013 Thana -MAHNAR District- VAISHALI(HAJIPUR)

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Sanjay Prasad @ Sanjay Prasad Singh Son of Chandra Bhushan Singh
Resident of village - Jawaj, Police Station Mahnar, District - Vaishali at
Hajipur

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Arun Kumar Singh, Advocate

For the State : Mr. Bharat Lal, APP

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CORAM: HONOURABLE DR. JUSTICE RAVI RANJAN
ORAL ORDER

2 15-09-2016 I have heard learned counsel for the petitioner and the

State.

The petitioner apprehends his arrest in a case registered
for offences punishable under Sections 326/307/34 of the Indian
Penal Code and 27 of the Arms Act.

As per allegation two unknown persons riding on
motorbike accosted informant while he was returning from the
shop of the barber and fired upon him. He received firearm injury
on his waist and fell down. Thereafter, the people of the locality
brought him in the hospital.

It is submitted that in the First Information Report
the informant did not disclose the name of the persons who had
fired upon him. However, allegedly in paragraph 46 of the case
dairy the name of the petitioner, who is cousin brother of the

informant, cropped up and series of criminal cases are pending between the members of the families of both sides. A title suit is also pending. After investigation police had submitted a final report exonerating the petitioner but cognizance has been taken against the petitioner. It is urged that had it been a fact that the petitioner was involved in a firing, the informant could well have named him in the First Information Report itself as he was well known to him being his cousin brother.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail in the event of arrest/surrender before the court below within a period of six weeks from today in Mahnar P.S. Case No. 71 of 2013, on furnishing bail bond of Rs.10,000 (Ten Thousand Rupees) with two sureties of the like amount each to the satisfaction of Sri Kabindra Kumar, Judicial Magistrate 1st Class, Vaishali at Hajipur subject to the conditions as laid down under sub-section(2) of Section 438 of the Code of Criminal Procedure.

(Dr. Ravi Ranjan, J)

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