

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26837 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -BARSOI District- KATIHAR

Kishore Srivastava, s/o Surya Srivastava, Resident of village- Barsoi
Machhali Patti, P.S.- Barsoi, Dist- Katihar

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Sri Amrendra Prasad, APP

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 12-08-2016 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

The petitioner is apprehending his arrest in
connection with Barsoi P.S. Case No.44 of 2016 for allegedly
having committed the offence under Sections 324, 326, 307 of
the Indian Penal Code and Section 27 of the Arms Act.

Case diary in the present case was called for, which
has since been received.

Learned counsel for the petitioner submits that
admittedly, the petitioner is not named in the F.I.R., but
subsequently on mere speculation, name of the petitioner has
been brought by the informant.

Learned counsel appearing on behalf of the State,

however, submits that during the course of investigation, the story regarding the firing by the petitioner has been seriously doubted and there is no definite clue as to how the informant got injured by firearm. Such fact got recorded in the case diary.

Having heard learned counsel for the parties and also because there is no cogent material in the case diary to implicate the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bond of ₹10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Katihar, in connection with Barsoi P.S. Case No.44 of 2016, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Anjana Mishra, J)

PNM/-

U		T	
---	--	---	--