

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3024 of 2016

Arising Out of PS.Case No. -45 Year- 2015 Thana -SALIMPUR District- PATNA

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Naresh Singh, son of Late Sita Singh, Resident of Village - Majhauli Bigha,
P.S. Salimpur, District Patna.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Nilesch Kumar

For the Opposite Party/s : Mr. Rana Randhir Singh (App)

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

3 18-03-2016

Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner is accused in connection with
Salimpur P.S. Case No. 45 of 2015, registered under Sections
147, 148, 149, 324, 326, 307, 302, 429 and 120(B) of the Indian
Penal Code and Section 27 of Arms Act.

The accusation is that when Awadesh Singh, uncle
of the informant reached at his door, in the meantime, seven
accused persons named in the F.I.R., including the petitioner,
made indiscriminating firing in which Awadesh Singh sustained
fire arm injury and fell down. At that time one Dhiraj Kumar
sustained fire arm injury and firing also hit to a cow.

Learned counsel appearing on behalf of the
petitioner submits that there is specific allegation in the F.I.R.
that while deceased Awadhesh Singh and one Dhiraj Kumar

sustained fire arm injuries indiscriminate firing made by the petitioner and others, but one lacerated wound found on the person of Dhiraj Kumar caused by hard and blunt substance simple in nature. In the whole case diary, there is no description about receiving of fire arm injury to cow. While there is allegation of making of indiscriminating firing by seven accused including the petitioner, but only two fire arm injury was found on the person of the deceased. In fact there is land dispute between the petitioner and informant due to that reason he has been falsely implicated in this case and he is in custody since 16.08.2015.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Judicial Magistrate, 1st Class, Barh, in connection with Salimpur P.S. Case No. 45 of 2015.

(Rajendra Kumar Mishra, J)

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