

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16649 of 2016

Arising Out of PS.Case No. -209 Year- 2015 Thana -DIHRINAGAR District- SASARAM
(ROHTAS)

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1. Gopal Pandey Son of Mahendra Pandey Resident of Bhaluahi, PS
Baghaila, District Rohtas.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pramendra Kumar Singh

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

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 27-04-2016 Power is filed on behalf of the informant.

Heard learned counsel for the petitioner, learned
counsel for the informant as well as learned Additional Public
Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 326, 307/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Petitioner is named in the first information report but
informant is not an eye witness of the alleged occurrence and he
disclosed the name of petitioner on the basis of statement given by
the injured who stated that three persons came at his house and

opened fire and out of them he identified the petitioner. The injured admitted in his statement that there was dispute between him and petitioner regarding loan of rupees seven lacs.

Learned counsel appearing for the petitioner submits that as a matter of fact, the injured had taken rupees seven lacs from the petitioner and similarly, the injured took huge amount from different persons and several cases were lodged against him and that is the reason of false implication of the petitioner in the present case.

On the other hand, learned counsel appearing for the informant vehemently opposed the prayer pointing out that injured claimed to have identified the petitioner committing the alleged crime and moreover, the injured was taken to B.H.U. for better treatment and the injury on the person of injured was found grievous in nature.

Considering the aforesaid facts and circumstances as well as submissions of the parties and also taking note of this fact that investigation against the petitioner has already been completed and furthermore, petitioner does not have any criminal antecedent and is languishing in jail custody since 23.02.2016, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each

to the satisfaction of Chief Judicial Magistrate, Rohtas at Sasaram
in connection with Dehri (Dalmianagar) P.S. Case No. 209 of
2015.

(Hemant Kumar Srivastava, J)

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