

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.25671 of 2016

Arising out of PS.Case No. -223 Year- 2015 Thana -BUDDHACOLONY District- PATNA

Ajay Rai, son of Sri Dawarika Rai, resident of Mohalla South Mandiri, Chhakan Tola, P.S. Budha Colony District Patna.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Sunil Kumar Pathak, Advocate.

For the Opposite Party : Mr. Madhuranand Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-08-2016 Heard learned counsels for the petitioner, informant and learned counsel for the State.

The petitioner is languishing in custody since 11.09.2015 in connection with Budha Colony P.S. Case No. 223/2015 for the offences instituted under Sections 341, 326, 307 and 120(B)/34 of the IPC.

The prosecution story, in brief, is that on 10.09.2015 at about 900 P.M. when Niranjana Yadav was coming to home and reached near the betel shop of Surendra in Chhakan Mohalla in the meantime, Ajay Rai and Manish fired on Niranjana. When the informant reached there on hearing hullah, Niranjana told him that Ajay Rai & Manish fired with gun. It is said that the informant

alongwith an unknown person brought the injured Niranjana to Ruban Hospital, S.P. Verma Road, Patna.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.09.2015 and the charge sheet has been submitted in the present case. There is no allegation of tampering of the witnesses alleged against the petitioner. As per the prosecution case, the petitioner and the co-accused Manish Kumar are said to have fired upon the victim. From perusal of the injury report, it is evident that there is only one gun shot injury.

On behalf of the learned counsels for the informant and the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, 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 the learned J.M. Ist Class, Patna, in connection with Budha Colony P.S. Case No. 223 of 2015.

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(Sudhir Singh, J)