

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34649 of 2016

Arising Out of PS.Case No. -515 Year- 2016 Thana -SAHARSA District- SAHARSA

=====

Sumit Kumar Singh S/o Pramod Kumar Singh, resident of mohalla-
Vidyapati Nagar, Saharsa Ward No-1, P.S-Saharsa, District-Saharsa
..... Petitioner/s

Versus

The State of Bihar

..... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Krishna Pd. Singh, Sr. Advocate
Mr. Saket Kumar Singh, Advocate
For the Opposite Party/s : Mr. Nityanand Tiwary, APP

=====

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-10-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the offences under Sections 341, 323, 384, 386, 387, 504 of the I.P.C. and Sections 25(1-B)A, 26, 35 of the Arms Act.

The prosecution story, in brief, is that on the alleged date and time of occurrence while the informant was sitting at his shop, then one Vishal Kumar Sinha and his renter Deeraj Kumar along with two unknown persons came there and Vishal Kumar demanded some articles which the informant supplied and when informant demanded its price, then Vishal Kumar and his companion started abusing and fisted him. Then his brother and other persons assembled there, Vishal Kumar took out loaded pistol from his pocket and pointed on him but his brother and others overpowered Vishal Kumar and snatched his pistol and magazine with cartridges and informed the police, who came and

caught him with country made pistol and cartridges.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 27.6.2016 and the charge sheet has been submitted in the present case. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. In course of investigation his name has come. As per the re-statement of the informant, at the time of occurrence the petitioner was also present at the P.O. The main allegation is against the co-accused, namely, Vishal Kumar Sinha.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that 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 learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. case No.515 of 2016.

(Sudhir Singh, J)

Narendra/-

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