

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 45735 of 2016

Arising Out of PS.Case No. -69 Year- 2016 Thana -SIWAN CITY District- SIWAN

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Rajan @ Rajan Sah Son of Madan Sah, Resident of Village- Ram Nagar,
Police Station- Siwan Town, District- Siwan.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2. 22-10-2016 Heard Sri Bijay Prakash Singh, learned counsel for
the petitioner and Smt. Veena Kumari Jaiswal, learned Addl.
Public Prosecutor.

The sole petitioner, who is in custody since
10-05-2016 in Siwan Town P.S. Case No. 69 of 2016 registered
for offence under Sections 326, 307, 34 of the Indian Penal Code
and Section 27 of the Arms Act, 1959, has prayed for grant of bail.

By way of referring to F.I.R., learned counsel for the
petitioner submits that in the F.I.R., the informant has made
allegation against one Papan Mian, who had fired on him, which
hit him. He submits that informant had said that the motorcycle
was being driven by an unknown person. He submits that during
investigation, on the basis of confession of co-accused,

petitioner's name has come, whereas, petitioner was not got examined by the informant by putting him on Test Identification Parade. He submits that petitioner is having clean antecedent and this fact has been mentioned in paragraph – 3 of the petition.

Learned Addl. Public Prosecutor has opposed the prayer for bail.

Considering the facts and circumstances, particularly the fact that even in the F.I.R., there was specific accusation of firing against co-accused Papan Mian, there is no reason to further detain the petitioner.

Let the petitioner namely Rajan @ Rajan Sah be enlarged 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, Siwan in connection with Siwan Town P.S. Case No. 69 of 2016.

(Rakesh Kumar, J.)

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