

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38107 of 2016

Arising Out of PS.Case No. -115 Year- 2016 Thana -KARAHGAR District- SASARAM (ROHTAS)

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Pintu Singh, son of Ganga Shagar Chaudhary, resident of Village-
Bhadsara, P.S.- Kargahar, District- Rohtas.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ashok Kumar Pandey, Advocate

For the Opposite Party : Mr. Md. Ansarul Haque (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 20-10-2016 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Kargahar
(Badahari) P.S Case No. 115 of 2016 registered for the offences
punishable under Sections 341, 323, 324, 307, 504, 506/34 of the
Indian Penal Code and Section 25(1-b)A, 26, 27, 35 of the Arms
Act.

Allegedly, the petitioner and other F.I.R. named
accused persons opened fire causing injury in the stomach of the
husband of the informant and thereafter the shop keeper Mahadeo
Sah and Biswanath Sah tried to catch the miscreants, resulting,
altercation took place and in the meantime, Surya Nath Kumar, the
husband of the informant fled away and then again one fire was

made which hit the door panel of Shivilal Sah, the miscreants also opened four round firing upon Mahadeo Sah and Biswanath Sah, but they were saved and Mahadeo Sah and Biswanath Sah identified the miscreants including the petitioner.

Submission is of false implication and that the victim has been examined, injured Surya Nath Kumar has been examined in para 30 of the case diary, wherein he has specifically stated that Binod Chaudhary opened fire by which he became injured and the petitioner also opened fire and then Amarjeet Kumar also opened fire.

Learned A.P.P. submits that the petitioner was also involved in opening fire.

In the facts and circumstances stated above, considering the statement of Surya Nath Kumar that he became injured due to fire made by Binod Chaudhary and not by the petitioner and, as such, the petitioner is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Sasaram, Rohtas, or concern Court, in connection with Kargahar (Badahari) P.S. Case No. 115 of 2016, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property

within the territorial jurisdiction of the Court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J.)

Rajiv/-

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