

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.33802 of 2016

Arising Out of PS.Case No. -30 Year- 2016 Thana -RAGHOPUR District- SUPAUL

Binod Sah, Son of Sankar Sah, resident of village - Hulas, Police Station
Raghopur, District - Supaul

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arun, Advocate

For the Opposite Party/s : Mrs. (Dr.) Indihar Kumari, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-08-2016

Heard learned counsel for the petitioner and

learned APP for the State.

Petitioner apprehends arrest in connection with
Raghopur P.S. Case No. 30/16 for offences alleged under Sections
307, 120-B/34 of the Indian Penal Code.

The prosecution case, as lodged by the
informant is that one co-accused fired two shots upon the
informant, one of them hit right side of his stomach and blood was
oozing out from there. Allegation against the petitioner is that he
was standing by the side of Scorpio vehicle.

It has been submitted by the learned counsel for
the petitioner that he is innocent and has falsely been implicated in
the aforesaid case as he was a bystander to the said occurrence. He

submits that there is no direct or indirect material attributable against the petitioner and just because of some political rivalry during election that the petitioner's name has been impleaded. He further submits that he has no criminal history, as is evident from paragraph 3 of this petition and Section 307 I.P.C. is not made out against him.

However, learned APP for the State submits that the petitioner is named in the First Information Report, hence, opposes the prayer for bail.

Be that as it may, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of eight weeks from today, 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 Additional Chief Judicial Magistrate, Birpur, Supaul, in connection with Raghopur P.S. Case No. 30/16, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nilu Agrawal, J.)

Rajesh/-

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