

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35098 of 2016

Arising Out of PS.Case No. -140 Year- 2016 Thana -NOORSARAI District- NALANDA
(BIHARSHARIFF)

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Gaurav Kumar @ Gaurav Paswan, Son of Raj Kumar Paswan, Resident of
Village- Papernausa, P.S.- Noorsarai, District- Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 02-09-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with

Noorsarai P.S. Case No. 140 of 2016 registered under Sections

149, 341, 323, 307 and 504 of the Indian Penal Code and Section

27 of the Arms Act.

The accusation is that eight persons named in the FIR

including the petitioner surrounded the informant and started to

abuse him. At that time, co-accused, Uchit Paswan made attempt

to give Pasuli blow at the informant causing injury at his nose and

this petitioner shot fire at him, on which, he fell down. Thereafter,

other accused persons also caused injury to the informant.

Learned counsel for the petitioner submits that occurrence of scuffle took place due to land dispute but the informant has lodged present case with false allegation of firing by the petitioner causing injury at the informant but no firearm injury was found on the person of the informant or any other members of the prosecution party. It is further submitted that this false case has been lodged against the petitioner and others only to give undue pressure to withdraw the claim in respect to the land dispute.

Having regard to the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the S.D.J.M., Nalanda at Bihar Sharif, in connection with Noorsarai P.S. Case no. 140 of 2016, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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