

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45297 of 2016

Arising Out of PS.Case No. -44 Year- 2016 Thana -BUDDHACOLONY District- PATNA

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Pushpendra Kumar Jha @ Pushpendra Kumar S/o Sanjay Jha, resident of
Plot No. 401, Raj Lakshami Apartment, Budha Colony, P.S. Budha Colony,
Distt. Patna 800001.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Mritunjay Kumar Jha, Advocate.

For the Opposite Party : Smt. Reena Sinha, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 20-12-2016 A supplementary affidavit has been filed on behalf of

learned counsel for the petitioner. The same may be kept on the

record.

Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is apprehending his arrest in connection
with Budha Colony P.S. Case No. 44 of 2016 for the offences
instituted under Sections 341, 323, 337, 307, 379/34 of the IPC
and 27 of the Arms Act.

The prosecution story, in brief, is that the accused
persons assaulted with stone on the head of the informant during
Event Party in a Restaurant. Thereafter they fired from the pistol
causing injury to the informant and his relative Brajesh Pandey.



They also took two mobile phones of the informant. In the event party, D.J. was operating by Dhiraj and firing was made by Shubhratan Gupta, this petitioner, Dhiraj and three others.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. He has falsely been implicated in the present case. The nature of injury is simple. No offence under Section 307 IPC is made out in the present case.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Budha Colony P.S. Case No. 44/2016, corresponding to G.R. No. 1077/2016 on furnishing bail bond of Rs. 10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Patna, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

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(Sudhir Singh, J)

