

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.611 of 2016

Arising Out of PS.Case No. -159 Year- 2015 Thana -GUTHNI District- SIWAN

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Bhirgunath @ Makuth @ Bhragunath @ Makut, Son of Ravindra Singh,
Resident of Village - Balepur Khurd, P.S. - Khukhundu, District - Deoria
(U.P.)

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sanjay Singh

For the Opposite Party : Mr. Rajendra Nath Jha(APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 10-03-2016 Heard learned counsel for the petitioner and learned
A.P.P representing the State.

The petitioner seeks bail in connection with Guthni P.S.
Case No. 159 of 2015, registered for the offence punishable under
Sections 486/307/34 of the Indian Penal Code & 25(1-B)a, 26, 35, 27
Arms Act.

Allegedly, four motorcycle borne criminals on two
motorcycles came and entered into the shop of the informant,
demanded wine and when the price was demanded by him they
claimed themselves as criminals and assaulted the nephew of the
informant with slap and opened fire, resulting which the fire hit the
thigh of the informant and after seeing assemblance of nearby persons,
the miscreants started fleeing away but co-accused Vivek Kumar Singh
and the petitioner were caught and the informant alleged that Vivek
Kumar Singh had shot the informant in his thigh and further from their

possession six cartridges were recovered.

Submission is of false implication and that the petitioner has been made victim on suspicion, as alleged by the informant the petitioner has not injured the informant, rather co-accused Vivek Kumar Sinjgh @ Pappu caused injury to the informant by fire arm, nothing has been recovered from conscious possession of the petitioner and he is suffering in custody since 11.10.2015

Learned A.P.P. submits that the petitioner has got criminal antecedent.

In the facts and circumstances stated above, considering the detention of the petitioner and further charge sheet has already been submitted, petitioner above named 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 learned A.C.J.M.-V, Siwan, in connection with Guthni P.S. Case 159 of 2015, subject to conditions that one of the bailors must be 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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