

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58508 of 2015

Arising Out of PS.Case No. -72 Year- 2015 Thana -RAGHOPUR District- VAISHALI(HAJIPUR)

1. Md. Tahir Son of Md. Javed Resident of Village - Sri Rampur , Police Station - Raghapur , District - Vaishali.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar Singh

For the Opposite Party/s : Mr. T.N.Thakur(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 16-03-2016 Heard the learned counsel for the petitioner as well as the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences punishable under sections 147, 148, 149, 341, 323, 324, 307, 504 and 506 of the I.P.C

Allegedly, 12 FIR named accused persons came being armed and with tractor and started ploughing the disputed land and when the informant was going there, all the accused persons were making fire and the petitioner fired which hit just above the right waist of the informant and he fell down. Other person also received fire arm injury.

Submission is of false implication and that it is not possible to say that from the fire shot by the petitioner the

informant received injury but admittedly due to the land dispute the occurrence has taken place, the injury caused has not been termed grievous or dangerous to life, no internal organ was affected and as such the petitioner who is suffering in custody since 04.08.2015 deserves sympathetic consideration.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, the petitioner shall be released on bail **after completion of nine months in custody**, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Vaishali at Hajipur in Raghopur P.S. Case No. 72 of 2015, 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)

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