

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45899 of 2016

Arising Out of PS.Case No. -115 Year- 2016 Thana -SAHPUR District- BHOJPUR

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Ram Lakhan Roy, son of Baijnath Roy, resident of Village- Suremanpur,
P.S. Shahpur District Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate.

For the Opposite Party/s : Mr. Smt. Sahin Begam, APP

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

2 13-12-2016 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Shahpur P.S. Case No. 115 of 2016 registered under Sections 307,
504 and 427/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The accusation is that on 28.07.2016 when informant,
Mukesh Yadav, was talking with some persons at his door on the
occasion of marriage of his sister. At that time, Ram Ishwar Ram
and his brother came with J.C.B. machine and dashed his
motorcycle. In the meantime, Ram Ishwar Rai, Pappu Rai,
Sandeep Rai and the petitioner started to abuse him. When the
informant made protest, then on the order of Ram Ishwar Ram
Rai, this petitioner took the rifle from his house and fired but



anyhow informant save himself by entering in the house of Satendra Rai. At that time, they also damaged the green mango tree through J.C.B. machine.

Learned counsel for the petitioner submits that, in fact, petitioner is the own brother of co-accused, Ram Ishwar Rai, who also lodged a case against Satendra Rai and his other family members regarding the same occurrence of 28.04.2016, due to that reason, Satendra Rai got managed to lodge the present case with false allegation of making firing through rifle but none had sustained injury as appears from the F.I.R.

Considering the aforesaid submissions, let the above named petitioner 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, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M.-XIV, Bhojpur, Ara, in connection with Shahpur P.S. Case No. 115 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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