

Criminal Miscellaneous No.41003 of 2016

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.... Petitioner/s

1. The State of Bihar.

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For the Opposite Party/s : Mr. Yogendra Kumar, APP

ORAL ORDER

From the First Information Report, it is evident that there is land dispute between the parties. It is alleged against the petitioner that he opened fire, targeting one Ganesh Kumar due to which he sustained

injury and fell down instantaneously.

Learned counsel for the petitioner has taken me to the injury report of said Ganesh Kumar, which shows that injury, inflicted on the hand of said Ganesh Kumar, found to have been caused by a sharp cutting weapon. Learned counsel for the petitioner has, accordingly, submitted that the allegation against the petitioner of causing injury by firearm stands falsified by the injury report.

I find substance in the submission so made on behalf of the petitioner.

This application is, accordingly, allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of **learned Sub-Divisional Judicial Magistrate, Birpur (Supaul)**, in connection with **Nirmali P.S. Case No. 39 of 2016**, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of

failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Praveen-II/-c

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