

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.41026 of 2016

Arising Out of PS.Case No. -88 Year- 2016 Thana -ITADHI District- BUXAR

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Pappu Singh son of Raj Nath Singh, resident of Village- Hakimpur, Police Station- Itarhi, District- Buxar.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ram Suresh Roy, Sr. Advocate

For the Opposite Party/s : Mr. Sri Iftekhar Mahmood, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 27-09-2016 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application for grant of anticipatory bail arises out of Itarhi P.S. Case No. 88 of 2016, disclosing offences under Sections 341, 323, 504, 506, 307 and 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

From the First Information Report, it appears that the allegation against the petitioner is of having intercepted the informant, assaulted him and opened fire with a country made pistol which hit the finger of the informant.

Learned Senior Counsel appearing on behalf of the petitioner has submitted that the injury report falsifies the prosecution case inasmuch as no injury has been found on the

finger of the informant caused by fire-arm rather the same has been found to have been caused by fire-arm.

Considering the submissions as above, this application is 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 bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Buxar in connection with Itarhi P.S. Case No. 88 of 2016, subject to the conditions as 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 bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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