

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13661 of 2016

Arising Out of PS.Case No. -138 Year- 2015 Thana -NAWAKOTHI District- BEGUSARAI

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1. Praveen Kumar @ Munna @ Prabeen Kumar @ Munna Singh S/o- Hare
Ram Singh, R/o- Naokothi, P.S. Naokothi, Dist.- Begusarai

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey

For the Opposite Party/s : Mr. A.A.Khan (App)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA
ORAL ORDER

3 11-05-2016 Supplementary affidavit has been filed on behalf of the

petitioner, let it be kept on record.

Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Naokothi
P.S. Case No. 138 of 2015 registered for the offences punishable
under Sections 341, 324 and 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Allegedly, the petitioner and other co-accused along
with unknown stopped the vehicle of the informant, the petitioner
with an intention to kill him, opened fire which caused injuries in
both hands, eyes and face of the informant due to gunpowder and
when villagers came for rescue, accused persons also opened fire

on them and thereafter they fled away, the motive behind the occurrence is old enmity.

Submission is of false implication and that the injury caused to the informant is due to fire cracker, no pellet or bullet have been found on the place of occurrence, all the family members have been implicated in this case without any legal and tangible material, the petitioner is suffering in custody since 02.01.2016, land dispute is going on between the parties and as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of bail by submitting that during investigation witnesses have supported the allegations and further the doctor has found fire am injuries caused by gunpowder and the petitioner has got criminal antecedent.

In the facts and circumstances stated above, the petitioner, above named, shall be released on bail **after completion of nine months in custody from the date of his remand** on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Binit Kumar, learned J.M. 1st Class, Begusarai in connection with Naokothi P.S. Case No. 138 of 2015 subject to the 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)

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