

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27554 of 2016

Arising Out of PS.Case No. -92 Year- 2016 Thana -MEERGANJ District- GOPALGANJ

Ramesh Chaudhary son of Madan Chaudhary, Resident of village-
Harnwah, Police Station- Mirganj, District- Gopalganj.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner/s : Mr. Lokesh Kumar Singh

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

3 16-09-2016 Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered for the
offences punishable under Section 307 and other minor sections of
the Indian Penal Code and Section 27 of the Arms Act.

The informant claims that while he was going on a
motorcycle, five persons on two motorcycles followed him and
out of the aforesaid five persons, one person opened fire as a result
whereof, he sustained firearm injury on his back. Moreover, the
informant identified the petitioner and others and, accordingly, the
first information report was lodged against the petitioner and some
others.

Submission on behalf of the petitioner is that the

informant has not disclosed this fact who had opened fire on him and, therefore, even if the prosecution story assumed to be true, then also, it is not specific that it was petitioner, who caused firearm injury to the informant. It is further submitted that in course of investigation, the confessional statement of co-accused was recorded and the co-accused disclosed that petitioner had opened fire. Moreover, the investigation, against the petitioner, has already been completed.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gopalganj in connection with Mirganj P.S. Case No. 92 of 2016.

(Hemant Kumar Srivastava, J)

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