

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27794 of 2016

Arising Out of PS.Case No. -55 Year- 2016 Thana -KHAGARIA District- KHAGARIA

Bhola Sada, son of Anup Sada, resident of Village - Bishanupur, P.S. Khagaria (Muffasil), District - Khagaria.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA
ORAL ORDER

2 15-07-2016 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with Khagaria (Muffasil) P.S. Case No.55 of 2016/G.R. No.195 of 2016 registered under Sections 341 and 307/34 of the Indian Penal Code besides Sections 25(1-b)a, 26, 27 and 35 of the Arms Act.

The accusation is that the petitioner alongwith three others started to construct the hut in front of the house of the informant. When the informant and other villagers made protest, then they started to make firing upon them. Thereafter, they were chased by the informant and others. While the petitioner was apprehended by the informant and villagers having a country made

pistol alongwith four live cartridges and five fired cartridges, three others succeeded in fleeing away. Thereafter, the petitioner was handed over to the police.

Learned counsel appearing on behalf of the petitioner submits that it would appear from the F.I.R. that the petitioner was handed over to the police showing the aforesaid recovery by the informant and villagers but, in fact, due to land dispute, the informant got managed to implicate the petitioner in the present case. The petitioner is in custody since 28.01.2016. While the petitioner is also accused in Khagaria P.S. Case No.45 of 1995/G.R. No.187 of 1998 (Sessions Case No.64 of 2011) but in that case, the petitioner is on bail.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to 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 the Chief Judicial Magistrate, Khagaria, in connection with Khagaria (Muffasil) P.S. Case No.55 of 2016/G.R. No.195 of 2016.

(Rajendra Kumar Mishra, J)

P.S./-

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