

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57710 of 2015

Arising Out of PS.Case No. -13 Year- 2014 Thana -HABIBPUR District- BHAGALPUR

1. Ram Swaroop Mandal, Son of Late Bishwanath Mandal, Resident of Village- Chhoti Badarpur, Police Station- Madhusudanpur, District- Bhagalpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakashtrpathy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 22-02-2016

The matter has been placed before this Court in view of administrative order of Hon'ble the Acting Chief Justice dated 15.02.2016, since the Co-ordinate Bench has passed his earlier order is not available due to medical exigency.

Heard learned counsel for the petitioner and the State.

Petitioner has renewed his prayer for bail under Sections 341, 307, 448/34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that the informant's daughter went outside to ease, when four accused persons including petitioner resorted to fire. When the informant's wife went out after hearing gun shot firing, then the accused persons gave her life threatening. During course of investigation it transpires from the statement of the wife of

the informant that the petitioner being maternal-uncle of the victim opened fire. From the impugned order it appears that the injury was caused on the buttock of the daughter of the informant Manimala Kumari. Earlier bail was rejected by a Coordinate Bench of this Court vide order dated 03.07.2015 passed in Cr. Misc. No. 18417 of 2015 with liberty to renew his prayer for bail having remained in jail for one year which reads as follows:-

“The petitioner may renew his prayer for bail after remaining in jail for one year.”

It is submitted by the learned counsel for the petitioner that petitioner is in custody since 11.11.2014. Statement has been made in para-3 of the petition that petitioner has no criminal antecedent.

Considering the liberty given in earlier order dated 03.07.2015, let the above named 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 learned Shri Rajeev Kumar-II, in connection with Habibpur P.S. Case No. 13 of 2014.

(Dinesh Kumar Singh, J)

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