

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1667 of 2016

Arising Out of PS.Case No. -55 Year- 2015 Thana -TARARI District- BHOJPUR

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Dilip Singh @ Nepali S/o Dinanath Singh Resident of Vill- Haraidhih, P.S.-
Piro (Hasanbazar), Dist- Bhojpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 01-03-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner is accused in connection with Tarari P.S.
Case No. 55 of 2015 registered under Sections 385, 387, 393,
307/34 of the I.P.C. and 25(1-b)A, 26, 35 of the Arms Act.

The prosecution case is that the informant Munna Rai
along with his brother Babloo Rai was at the cash counter of the
Petrol Pump, at that time, two persons came on two motorcycles
and demanded money and on protest, one of them fired through
country made pistol, which did not hit anyone. Regarding the
occurrence, informant gave information through mobile to the
Police Station and thereafter, Police, in course of patrolling duty,
caught hold one person with country made pistol with cartridges,
while other succeeded to flee away.

Learned counsel appearing on behalf of the petitioner

submits that it would appear from the F.I.R. itself that while firing was made by two persons at the patrol pump but neither informant nor his brother sustained injury. Further, submission is that it would appear from the F.I.R. that on the basis of the information given by the informant regarding the occurrence, Police came and arrested this petitioner, which also appears to be quite unreasonable. Moreover, there is no criminal antecedent of the petitioner and he is in custody since 25.07.2015.

Having considered the facts and circumstances of the case, let the above named petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Bhojpur at Ara in connection with Tarari P.S. Case No. 55 of 2015. Out of two sureties, one surety must be parents or close relatives of the petitioner.

(Rajendra Kumar Mishra, J)

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