

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50266 of 2015

Arising Out of PS.Case No. -41 Year- 2015 Thana -ARA NAWADA District- BHOJPUR

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1. Nagendra Paswan Son of Ram Nath Paswan Resident of Mohalla - Sri
Tola, P.S. Ara (Nawada), District - Bhojpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. T.N.Thakur(App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**

ORAL ORDER

2 08-01-2016 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Ara
(Nawada) P.S. Case No. 41 of 2015 registered for the offences
punishable under Sections 341, 323, 307, 384/34 of the Indian
Penal Code and Section 27 of the Arms Act.

Allegedly due to non-fulfillment of ransom, the
petitioner shot the son of the informant which hit in the right leg
below knee.

Submission is of false implication and that this is
counter case of Nawada P.S. case No. 39 of 2015 wherein the
petitioner is the informant. No offence under Section 307 IPC is
made out as no injury has been caused on vital part, there is no
allegation that petitioner repeated the firing, the petitioner is

suffering in custody since 14.05.2015 and as such he deserves sympathetic consideration to which the learned A.P.P. opposes by submitting that petitioner is an accused in Nawada P.S. Case 40 of 2015 under Sections 141, 323, 384, 379, 307 IPC, lodged by the informant himself.

In the facts and circumstances stated above, considering that there is case and counter case and, as such, the petitioner, above named, is directed to be released on bail **after completion of nine months of 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 the Learned C.J.M., Bhojpur at Ara arising out of Ara (Nawada) P.S. Case No. 41 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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