

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.52873 of 2015

Arising Out of PS.Case No. -565 Year- 2015 Thana -LAKHISARAI District- LAKHISARAI

Santosh Ram son of Tanu Ram @ Tano Ram Resident of Village - Ram Nagar, P.S. and District - Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rabi Bhushan, Advocate

For the Opposite Party/s : Mr. M. RAB (App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 24-02-2016 Heard learned counsel for the petitioner and learned A.P.P. representing the State.

The petitioner seeks bail in connection with Lakhisarai P.S. Case No. 565 of 2015 registered for the offences punishable under Sections 341, 323, 307, 504 of the Indian Penal Code and Section 25(1-b)a, 26 and 27 of the Arms Act.

Allegedly, the petitioner directed the informant to repair the door which was damaged by the informant and for that the petitioner started abusing and assaulting with fists and slaps and then the petitioner opened fire which hit beneath the armpit of the informant and on the face of Ilaichi Devi. However, the petitioner was caught with pistol and cartridges.

Submission is of false implication and that the petitioner has been made victim of the circumstance, he has been implicated after implanting the fire arm by the informant, the

doctor has found injuries on both person simple in nature vide annexure-2 series and, as such, the petitioner who is suffering in custody since 06.08.2015, deserves sympathetic consideration.

The learned A.P.P. submits that the petitioner was caught with fire arm and he has caused injuries to the informant and Ilaichi Devi.

In the facts and circumstances stated above, considering the detention of the petitioner, now he is directed to be released on bail 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., Lakhisarai in connection with Lakhisarai P.S. Case No. 565 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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