

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.47378 of 2017

Arising Out of PS.Case No. -6 Year- 2017 Thana -PURANHIA District- SHEOHAR

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Chanchal Thakur Son of Hem Chandra Thakur Resident of village- Basant Jagjiwan, P.S.- Purnahia, Dist.- Sheohar

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar

For the Opposite Party/s : Mr. Yogendra Kr. Singh(App)

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 08-12-2017

Heard the counsels for the parties.

The petitioner seeks bail in connection with Purnahia P.S. Case No. 06 of 2017 dated 29.01.2017 instituted for the offences under Sections 323, 324, 341, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is alleged to have fired at the informant leading to gun shot injuries.

Learned counsel for the petitioner has submitted that from the reading of the FIR itself, it would appear that an absolutely false case has been instituted against the petitioner. It has been alleged in the FIR that the informant met the petitioner and another viz. Kanhai Singh and all of them proceeded together towards Sitamarhi for partying. Later, without any rhyme or reason, the informant has stated that he was fired at by the petitioner. Somehow or the other, the informant could save his life



by running away.

Learned counsel for the petitioner has submitted that if there had been any intention of the petitioner to kill the informant/victim, he would not have been permitted to go away. Thus, the reason for false implication in this case is old land dispute. For the land dispute, the petitioner was earlier made an accused in a case, about which reference has been made in para-3 of the petition, when he was a juvenile.

Considering that the petitioner has been falsely implicated, even the informant has settled the dispute with him and has filed a petition before the court below seeking compounding.

The petitioner is in jail since 19.06.2017.

In the facts and circumstances, the petitioner/s above named is/are directed to be released on bail on his/their furnishing bail bond/s in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Divisional Judicial Magistrate, Sheohar in connection with Purnahia P.S. Case No. 06 of 2017.

(Ashutosh Kumar, J)

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