

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19953 of 2017

Arising Out of PS.Case No. -112 Year- 2016 Thana -BEERPUR District- BEGUSARAI

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Gopal Sahni, son of Mannu Sahni @ Sahni, R/o Village- Nonpur , P.S.-
Teghra, District- Begusarai.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 21-06-2017

Heard learned counsel for the petitioner.

This is an application for bail in connection with
Sessions Trial No. 164 of 2017, arising out of Birpur P.S.Case No.
112 of 2016, registered for the offences punishable under Sections
302/34 of the Indian Penal Code and 27 of the Arms Act.

Allegation as per FIR against the petitioner is that he
along with other accused persons intercepted the deceased and
they have fired at the deceased. There is specific allegation against
the petitioner that he fired upon palm of the deceased.

It has been submitted on behalf of the petitioner that
there is no injury on the palm of the deceased. It has further been
submitted that earlier mother of the petitioner has lodged a case
against the family members of the informant for the killing of
brother of the petitioner, as such, petitioner has falsely been
implicated in this case and he is in custody for six months having
no criminal antecedent.

Heard learned APP also, who could not controvert the



above submission.

Having heard both sides and considering the aforesaid facts and circumstances, let the petitioner, named above, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-IV, Begusarai, in connection with Sessions Trial No. 164 of 2017, arising out of Birpur P.S.Case No. 112 of 2016, subject to the conditions that :-

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable properties within the jurisdiction of the concerned Court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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