

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29767 of 2017

Arising Out of PS.Case No. -269 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Chandan Kumar @ Chandan Kumar Rai, son of Bishwanath Rai, resident of
Village- Rajapakar Chauripur, P.S.- Rajapakar, District- Vaishali.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Devendra Kumar

For the Opposite Party/s : Mr. Matloob Rab, APP-34

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

ORAL ORDER

2 10-07-2017 Heard learned counsel for the petitioner and learned
APP representing the State.

The petitioner seeks bail in connection with Hajipur
Sadar P.S. Case No. 269 of 2016 registered for the offence
punishable under Section 307 of the Indian Penal Code and
Section 27 of the Arms Act.

Allegedly, three unknown motorcycle borne miscreants
came and out of them one opened 2-3 round firing causing injury
on the forehead of the informant, thereafter, they fled away.
During investigation name of the petitioner transpires in the
confessional statement of co-accused which is evident from the
impugned order.

Submission is of false implication and that besides
confessional statement there is no other legal material against the



petitioner, the petitioner is in custody since 08.09.2016 but he has not been put on test identification parade and as such he deserves sympathetic consideration.

Learned APP opposes the prayer of bail by submitting that due to non-payment of ransom firearm injury has been caused on the vital part of the informant.

In the facts and circumstances stated above, considering that besides confessional statement there is no other legal material against the petitioner, the petitioner above named 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 learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 269 of 2016, subject to the conditions that one of the bailors must be a 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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