

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39654 of 2017

Arising Out of PS.Case No. -380 Year- 2016 Thana -KAHALGAON District- BHAGALPUR

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Dibyanshu Jha S/o Kapileshwar Jha, R/o Village-Nadiya Tola, P.S.
Kahalgaon District-Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey

For the Opposite Party/s : Mr. Sri Satyendra Narayan Singh

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**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL**
ORAL ORDER

2 19-08-2017 Heard learned counsel for the petitioner and APP for the

State.

The petitioner seeks bail in connection with Kahalgaon
P.S. Case no. 380 of 2016 registered under Sections 341, 323, 307,
504 and 34 of the Indian Penal Code and 27 of the Arms. Act.

As per prosecution case, the informant along with his
friend was returning from L.C.T. Ghat and the accused persons
including the petitioner was also coming from the other side on the
motorcycle and when both the motor cycle came closer, they
applied the break, but due to water on the road, the motorcycle of
the accused persons was slipped, whereupon the petitioner got
infuriated and assaulted the informant's friend and on intervention
by the informant, he was also assaulted. The informant went to
the house of his friend and after calling his father while he and his



father reached at the place of occurrence, the petitioner resorted firing on him thrice, but it missed and he managed to escape from there.

It is submitted by the learned counsel for the petitioner that the petitioner has falsely been implicated in this case due to village politics and animosity. The informant has not sustained any fire arm injury. No firearm has been recovered from the possession of the petitioner. The petitioner has been languishing in custody since 03.12.2016

Considering the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VIIth Bhagalpur in connection with Kahalgaon P.S. Case no. 380 of 2016.

(Prakash Chandra Jaiswal, J)

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