

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45031 of 2017

Arising Out of PS. Case No.-21 Year-2017 Thana- SAHPUR District- Bhojpur

=====

Dhirendra Rai s/o Late Rajendra Rai, resident of Village Damodarpur, P.S.
Shahpur, District Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar.

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Amarendra Kumar, Adv
For the State	:	Mr. SRI ASHARAF ANSARI, APP
For the Informant	:	Mr. Ravindra Kumar, Adv

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 21-09-2017

Heard learned counsel for the petitioner,

learned counsel for the State and learned counsel for the
informant.

The Petitioner who is in custody seeks bail in
connection with **Shahpur P.S. Case No. 21 of
2017** registered for the offence punishable under Sections
341, 323, 307, 120B of the Indian Penal Code and Section
27 of the Arms Act.

The allegation against the petitioner is that he
was initially assaulted by FIR named accused persons and
when he was running away petitioner Dhirendra Rai fired
on the informant on his back and he sustained fire arm
injury on his back. Petitioner submit that he has been falsely



implicated in this case due to previous enmity. Allegation is of firing from behind as such informant could not have seen it.

It has been submitted on behalf of the petitioner that the occurrence took place on 18.02.2017 and FIR was lodged on 19.02.2017, but the FIR reached to the office of A.C.J.M. on 28.02.2017 and there is no explanation for such long delay in reaching the FIR to the court of A.C.J.M. It has been further contended on behalf of the petitioner that this case is counter blast of Shahpur P.S. Case No. 279 of 2016, in which the father of the petitioner was shot dead and informant is one of the accused in the case. The petitioner has got no criminal antecedent and is in custody since, 12.06.2017. The injury is stated to be of fire arm but are simple in nature.

Mr. Ravindra Kumar, learned counsel appearing for informant has vehemently opposed the prayer for bail and submitted that there is direct allegation against the petitioner of firing on informant.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/-



(ten thousand) with two sureties of the like amount each to the satisfaction of learned **4th Additional Chief Judicial Magistrate-XIV, Bhojpur, Ara** in connection with **B.P. No. 704 of 2017 in connection with Shahpur P.S. Case No. 21 of 2017.**

(S. Kumar, J)

ranjan/-

U			
---	--	--	--

