

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50234 of 2017

Arising Out of PS.Case No. -146 Year- 2015 Thana -SHRIKRISHNAPURI District- PATNA

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Rajesh Kumar, S/o Sri Ram Janam Mahto R/o mohalla-Dujra Devi Asthan,
P.S. Budha Colony, District-Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rajesh Kumar

For the Opposite Party/s : Mr. Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA
JAISWAL
ORAL ORDER

2 17-10-2017 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Sri Krishnapuri P.S. Case no. 146 of 2015 registered for the offence punishable under Sections 147, 148, 149, 307, 323 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is said to have resorted firing upon the informant by means of pistol, inflicting injuries in his stomach on his refusal to commit murder of the accused Shankar Rai and Rahul Kumar Sahni on his released from jail.

It is submitted by the learned counsel for the petitioner that no such occurrence as alleged ever took place. As a matter of fact, a day preceding to the occurrence, the informant along with other accused persons arriving at his garage had



resorted firing, but anyhow the petitioner escaped the firing, then the accused persons left the scene resorting firing and one of them was apprehended with pistol. Regarding the said incident, he has filed Shri Krishnapuri P.S. Case no. 143 of 2015 against the informant and others on 06.05.2015 i.e. day preceding to present occurrence. In the aforesaid firing, the informant has sustained injury and in order to save his skin from the said case, the informant has filed the aforesaid case with false and frivolous allegation against the petitioner on the following day of the occurrence. The petitioner has been languishing in custody since 28.05.2017.

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 A.C.J.M., Patna in connection with Sri Krishnapuri P.S. Case no. 146 of 2015.

(Prakash Chandra Jaiswal, J)

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