

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54035 of 2016

Arising Out of PS.Case No. -220 Year- 2014 Thana -GAYGHAT District- MUZAFFARPUR

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Ganga Rai, son of Late Bindu Rai, Resident of Village- Jata West, P.S.
Gaighat, District Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Shama Sinha, Advocate.
For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-01-2017 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted for the
offence under Sections 341, 323, 324, 326, 307, 504, 506 of the
Indian Penal Code and Section 27 of the Arms Act.

The allegation against the petitioner is that he fired
from his pistol causing injury on the left arm of the informant.
The informant was taken to Gaighat Hospital for treatment from
where he was taken to SKMCH, Muzaffarpur.

It has been submitted on behalf of the petitioner that
there is land dispute between the parties. There is no repetition of
blow. The petitioner is in custody since 8.9.2016.

The learned A.P.P. and counsel for the informant have
submitted that the petitioner is the main assailant of causing fire-



arm injury to the informant but from the nature of injury annexed as Annexure-3, this Court finds that the informant sustained fire-arm injury on his right arm. The doctor has not given opinion with respect to the nature of injury. It further appears from the injury report that there is no repetition of the fire-arm injury. The learned counsel for the informant has further submitted that the petitioner has criminal antecedent and he may create hindrance in trial.

Considering the aforesaid facts and circumstances of the case, let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Muzaffarpur, in connection with Gaighat P.S. Case No. 220 of 2014, subject to the condition that both the bailors will be the close relatives of the petitioner.

The petitioner is directed to remain physically present in court on each and every date of trial and any two subsequent defaults will result in cancellation of bail bonds in the court below.

(Sanjay Priya, J)

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