

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.839 of 2017

Arising Out of PS.Case No. -144 Year- 2016 Thana -BIDUPUR District- VAISHALI(HAJIPUR)

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Surendra Chaudhary, S/o Bechan Chaudhary R/o Village- Majhouli, P.S.- Bidupur, District- Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rakesh Kumar Tiwary, Advocate

For the Opposite Party : Mr. Sri Mritunjay Kumar Nirala (APP)

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

2 16-01-2017 Supplementary affidavit has been filed on behalf of the petitioner, let it be kept on record.

Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner apprehends his arrest in connection with Bidupur P.S. Case No. 144 of 2016, registered for the offences punishable under Sections 147, 148, 149, 341, 323, 307, 379 of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the allegation against the petitioner is that the petitioner shoot with pistol which hit left hand of the informant and thereafter Sudhanshu Kumar @ Bablu assaulted with butt of gun to Subodh Kumar.

Submission is of false implication and that the



petitioner has lodged Bidupur P.S. Case No. 135 of 2016 on 22.05.2016 itself whereas for the same date of occurrence fardbeyan was recorded on 23.05.2016 and the case was registered on 28.05.2016. The final injury report shows the injuries simple and, as such, the petitioner deserves sympathetic consideration.

The learned A.P.P. opposes the prayer of pre-arrest bail.

In the facts and circumstances as stated above, considering that this case is counterblast lodged by the petitioner, final injury report is simple in nature and, as such, the petitioner in the event of his arrest or surrender within four weeks from the date of receipt/production of a copy of this order shall 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 Chief Judicial Magistrate, Vaishali at Hajipur, in connection with Bidupur P.S. Case No. 144 of 2016, subject to the conditions as laid down in section 438(2) of the Cr.P.C.

(Jitendra Mohan Sharma, J.)

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