

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60927 of 2017

Arising Out of PS.Case No. -29 Year- 2016 Thana -HAJIPUR SADAR District-
VAISHALI(HAJIPUR)

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Prahlad Kuar @ Prahlad Kumar, son of Sri Parmanand Kuar, Resident of
village-Kariho, P.S. Mahua, District-Vaishali.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Pranav Kumar Jha

For the Opposite Party/s : Mr. Sri Nand Kumar

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CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA

ORAL ORDER

2 14-12-2017

Heard learned counsel for the petitioner and the learned

A.P.P. for the State.

The petitioner apprehends his arrest in connection with
Hajipur Sadar P.S. Case no. 29 of 2016, registered under Sections 341,
324, 307 and 120B/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The accusation is that on 20.01.2016, informant Sanjeev
Kumar along with Sujit Kumar was going to Court. When informant
reached near Power House at about 11.00 A.M. then four persons
named in the F.I.R. including the petitioner stopped his motorcycle
then Bipin Singh and petitioner caught hold the informant and on the
order of petitioner, Dharmnath Kumar fired which caused injury at the
belly of the informant, who fell down, thereafter they fled away.

Learned counsel for the petitioner submits that it would



appear from the F.I.R. that assailant of informant is Dharmnath Kumar who fired at his belly. Further submission is that only allegation against the petitioner is that he caught hold the informant. Further submission is that, in fact, occurrence of Marpit took place due to entering of informant in the house of this petitioner and causing assault to his wife and his daughter regarding which Mahua P.S. Case No. 15 of 2016 is instituted on 15.01.2016, under Sections 447, 323, 354, 379 and 307/34 of I.P.C. and Section 27 of Arms Act. Further submission is that petitioner has no criminal antecedent. Further submission is that similarly situated co-accused Bipin Singh @ Bipin Kumar Singh and Angad Kumar have already been allowed pre arrest bail on 01.05.2017 passed in Criminal Miscellaneous No. 216 of 2017.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 29 of 2016, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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