

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8985 of 2017

Arising Out of PS.Case No. -2 Year- 2015 Thana -BAKHTIARPUR District- MUNGER

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1. Lakshman Kumar @ Pukki S/o Dowarik Paswan Resident of Village -
Sangatpur, P.S. - Bakhtiarpur, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mrs. Anita Kumari Singh

For the Opposite Party/s : Mr. Sri Akbar Ali

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR
JHA
ORAL ORDER

4 28-03-2017 Heard both sides.

The petitioner seeks bail in Bakhtiarpur P.S. case No.
02 of 2015 under Section 307/34 of the Indian Penal Code and
under Section 27 of the Arms Act.

The informant named the petitioner along with other
accused persons and alleged that Lakshman Kumar @ Pukki, the
petitioner, made indiscriminate firing on his brother, Rudal Yadav.
Rudal Yadav got two fire arm injuries and he fell down on the
ground. The accused persons fled away after firing.

The learned counsel for the petitioner submits that
Rudal Yadav made his statement in paragraph 36 of the case diary
and disclosed that petitioner made first firing and thereafter Jairam
Paswan also made firing, which hit on his waist. Jairam Paswan



has already been granted bail vide order passed in Cr. Misc. No. 41610 of 2015 and the petitioner is in jail since 30.07.2015. The petitioner has already remained in jail for about one year and eight months.

Considering the facts that petitioner is alleged to have made firing but Rudal Yadav survived and petitioner is in jail for about one year and eight months, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-II, Barh in Sessions Trial No. 270 of 2016, arising out of Bakhtiarpur P.S. Case No. 02 of 2015, subject to condition that one of the bailors shall be close relative, preferably, father or mother of the petitioner.

(Prabhat Kumar Jha, J)

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