

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3939 of 2017

Arising Out of PS.Case No. -77 Year- 2016 Thana -HATHAURI District- SAMASTIPUR

=====

Dipak Das, son of Satto Das, resident of Village- Sahiar, P.S. - Rosera,
District - Samastipur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Mr. Smt. Veena Rani Prasadd.

=====

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA
ORAL ORDER

3 22-03-2017 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner is accused in connection with Hathauri
P.S. Case No. 77 of 2016, registered under Section 307 of the
Indian Penal Code and Section 27 of the Arms Act.

The accusation is that on 16/17-08-2017, Dipak Das
(petitioner), husband of the informant, Punam Devi, came at her
'Maika' and shot fire at her brother, Rajesh Das, who was sleeping
at cot and succeeded to flee away. On hearing of sound of firing,
informant woke up and saw that her husband (petitioner) was
fleeing away while neighbours tried to chase her husband
(petitioner) but he succeeded to flee away.

Learned counsel for the petitioner submits that it



would appear from the F.I.R. that informant, who is the wife of the petitioner, was not the eye witness to the occurrence of shot fire to cause injury to her brother but due to grudge and suspicion petitioner has falsely been implicated in the present case. It is further submitted that in course of investigation none had claimed to see the petitioner causing injury to the brother of informant. Further submission is while injured, brother of informant, had admitted at P.M.C.H., Patna, but charge sheet has been submitted without injury report. The petitioner has no criminal antecedent and is in custody since 19.08.2016.

Having regard to the facts and the circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Rosera, Samastipur, in connection with Hathauri P.S. Case No. 77 of 2016. Out of two sureties, one surety must be the close relative of the petitioner.

(Rajendra Kumar Mishra, J)

Bhardwaj/-

U		T	
---	--	---	--

