

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37365 of 2017

Arising Out of PS.Case No. -121 Year- 2017 Thana -PHULPARAS District- MADHUBANI

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1. Jai Krishana Gohitman @ Jay Krishn Gohitman, S/o Late Ram Adhin Gohitman,
 2. Jiwan Kumar Bhindwar @ Jiwan Bhindwar, S/o Raj Murti Bhindwar, both residents of village- Sugapatti, Police Station - Phulparas, District - Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kanhaiya Prasad Singh, Sr. Advocate with
Mr. Birendra Kumar Singh, Advocate

For the Opposite Party/s : Smt. Madhuri Lata, APP
Mr. Arvind Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3/ 23-08-2017

Heard learned counsel for the Petitioners and the learned APP for the State as well as counsel for the Informant.

Petitioners seek bail in Phulparas P.S. Case No.121 of 2017 instituted for the offence under Section(s) 147, 148, 149, 323, 324, 326, 307, 504 Indian Penal Code.

Counsel for the petitioners has submitted that there is allegation against the petitioner No.1 that he fired shot on Pawan Kapar with gun causing him serious injury. Allegation against petitioner No.2 is that he caused fire arm injury in thigh and hand of the informant.

Case diary has been received. Injury Report of Pawan Kapar is available in the case diary. The doctor has found one



wound over left parietal region, which after CT Scan was found to be grievous. There is no injury report of the Informant available in the case diary. The police has not recorded statement of injured, Pawan Kapar, in the case diary under Section 161 Cr.P.C.

In this manner, although there is allegation that total 17 persons committed *Maarpeet* and also made firing, but the doctor has found only one injury on the person of Pawan Kapar. Petitioner No.2 is alleged to have caused fire arm injury to the informant on thigh and hand but no injury report is available in the case diary.

In the facts and circumstances of the case, prayer of the petitioners for grant of bail is allowed. Let the petitioners, above named, be released on bail on furnishing bail bond of `10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Jhanjharpur, in connection with Phulparas P.S. Case No.121 of 2017, subject to the condition that both the bailors shall be close relatives of the petitioners.

(Sanjay Priya, J)

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