

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16501 of 2017

Arising Out of PS.Case No. -247 Year- 2016 Thana -NAUBATPUR District- PATNA

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1. PURUSHATAM KUMAR SHARMA @ PURUSHOTAM KUMAR @
RAUSHAN KUMAR @ PRINCE, S/o Vijendra Narayan Singh @ Birendra
Narayan Singh, R/o Village- Chesi, P.S.- Naubatpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiva Shankar Prasad Singh

For the Opposite Party/s : Mr. Sri Ramchandra Singh

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 28-04-2017 Heard learned counsel for the petitioner and learned
A.P.P. representing the State.

The petitioner seeks bail in connection with Naubatpur
P.S. Case No. 247 of 2016 registered for the offences punishable
under Sections 323, 341, 504, 307/34 of the Indian Penal Code
and Section 27 of the Arms Act.

Allegedly, Shailesh Kumar, co-accused has taken Rs.
4,75,000/- from the informant and when the informant demanded
the same, the petitioner threatened him that if he demanded it
again, he will shot him. The petitioner assaulted and injured him
by opening fire. Tej Narayan Kumar, brother of the informant also
received fire arm injury on his left leg above the knee.



Submission is of false implication and Shailesh Kumar has been allowed pre-arrest bail. Other co-accused persons have also allowed bail. The case has been compromised and compromise petition has been filed by both sides and, as such, the petitioner deserves sympathetic consideration as he is suffering in custody since 17.10.2016. Chargesheet has already been submitted and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner, above named, is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Danapur in connection with Naubatpur P.S. Case No. 247 of 2016 subject to the conditions that one of the bailors must be near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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