

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45450 of 2017

Arising Out of PS. Case No.-197 Year-2017 Thana- PARWATTA District- Khagaria

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Suman Yadav Son of Late Rambachchan Yadav, resident of Village- Araria,
P.S.- Parbatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjeet Kumar Singh

For the Opposite Party/s : Mr. SRI BINOD KUMAR

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 20-12-2017 Heard learned counsel for the parties.

This application for anticipatory bail arises out of Parbatta (Maraiya) P.S. Case No. 197 of 2017, G.R. No. 1617 of 2017, disclosing offences under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

There is allegation that the petitioner opened fire with his country made pistol causing injuries on the informant's shoulder. The injury report supports the case of the prosecution. It is, however, submitted on behalf of the petitioner that it was a result of misfire which caused injury on the informant's person. He submits that the petitioner was never in possession of any fire arms, who is student of B.A. Part-II.

Considering the peculiar facts and circumstances, this application is allowed.



Let the petitioner above named in the event of his arrest/surrender within six weeks from today in the Court below, be released 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 ACJM-I, Khagaria in Parbatta (Maraiya) P.S. Case No. 197 of 2017, G.R. No. 1617 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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