

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.29425 of 2018

Arising Out of PS. Case No.-13 Year-2018 Thana- CHARPOKHARI District- Bhojpur

Prince Kumar Son of Sidheshwar Ray Resident of Village- Koil, Police
Station- Charpokhari District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Singh

For the Opposite Party/s : Mr. Sri Satyavarat Verma

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

ORAL ORDER

2 18-05-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in connection with
Charpokhari P. S. Case No. 13 of 2018 registered for the
offences punishable under Sections 147, 148, 143, 307, 504/506
of the Indian Penal Code and Section 27 of the Arms Act.

Allegedly, the informant was playing Volleyball with
other boys of the village and then firing started, resulting, all
started fleeing away and 4 persons who were opening fire
started chasing the informant and further opened 10-15 round
firing but sensing the assemblance of villagers, they started
fleeing away, out of whom the petitioner was identified and
further other co-accused have opened fire at the house of the
informant also which was told by his mother. The house inmates



threw brick bats upon the miscreants, resulting, co-accused Sidheshwar Rai received head injury. The sign of firing is on the wall and window of the house of the informant.

Submission is of false implication and that there is case and counter case, in this case no one has received any injury whereas in the case lodged by co-accused Sidheshwar Rai there is injury on his head, the prosecution story of this case appears not probable and reliable, the petitioner is suffering in custody since 04.02.2018 and earlier in one case he has been made accused wherein he is on bail.

Learned APP submits that the petitioner and three others have opened fire and the petitioner was identified but fairly submits that no one has received any injury.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate-X, Bhojpur, Ara in connection with Charpokhari P. S. Case No. 13 of 2018, subject to the conditions that one of the bailors must be a 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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