

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.51709 of 2018

Arising Out of PS. Case No.-791 Year-2017 Thana- SAHARSA District- Saharsa

Mikky Choubey S/o Late Mahendra Choubey, R/o Mohalla- Tiwari Tola,
Ward No. 33, P.S.- Saharsa, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra
For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 04-10-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, who is in custody, seeks bail in
connection with Saharsa Sadar P.S. Case No. 791 of 2017
registered for the offence punishable under Sections 147, 148,
149, 341, 323, 384, 386, 387, 307, 504, 506, 379 of the Indian
Penal Code and Section 27 of Arms Act.

Informant has alleged in his written complaint that
he alongwith other caretaker were engaged in daily work in the
house of Dr. Ganesh Yadav. On 26.07.2017 at 5.30 PM, six FIR
named accused persons on three motorcycles without number
and a Bolero vehicle entered in the premises of Dr. Ganesh



Yadav and they surrounded him and other caretaker and thereafter Petitioner and other co-accused put the pistol on his temporal region and asked about Dr. Ganesh Yadav and they also disclosed having made demand of Rs. 10 lacs Rangdari from him. It is further alleged that at about 7.00 PM, nine accused persons on four motorcycles including petitioner came at his house and fired upon him as a result the pellet crossed touching his arm and hitting his chest and he fell down and thereafter all the accused persons fled away by making indiscriminate firing.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case. It has been further submitted that even after much delay the injury report was not brought by the prosecution. Even the incident was taken place on 25.07.2017 and 06.06.2017 but the injury report is dated 02.09.2017 obtained from a private hospital. Petitioner is in custody since 03.03.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned A.C.J.M.- IV, Saharsa, in connection with Saharsa Sadar
P.S. Case No. 791 of 2017.

(S. Kumar, J)

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