

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2804 of 2018

Arising Out of PS.Case No. -316 Year- 2017 Thana -MOTIHARI TOWN District-
EASTCHAMPARAN(MOTIHARI)

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Sanjeev Singh, son of Awdhesh Singh, Resident of village - Lal Parsa, P.S.
- Sugauli, District - East Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhishek Kumar @ Sonu Babu, Adv.
For the Opposite Party/s : Dr. Indihar Kumari, APP
For the Injured : Mr. Anant Kumar Mishra, Adv.
Sanjay Kumar No.7.

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 17-01-2018 Heard learned counsel for the petitioner and learned

APP for the State who has been assisted by learned counsel
representing the injured.

Petitioner, in the present case, is seeking regular bail
in connection with Town P.S. Case No.316 of 2017, registered for
offences alleged under Sections 341, 326, 307 and 120B of the
Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
present case was lodged on the statement of one Rishi Singh on
04.05.2017 alleging that on the same day at about 6.00 AM while
he was walking along with his neighbour (Jitendra Thakur) and



had gone near Gayatri Mandir four persons came on two motorcycle. It is alleged that they fired causing injury to the informant as well as to Jitendra Thakur. The FIR was lodged against unknown as the miscreants were hiding their face. On 17.06.2017 when the statement of injured Jitendra Thakur was recorded under Section 161 Cr.P.C. he disclosed the name of this petitioner and others who had fired on him. Learned counsel further submits that it is a case of false implication. He further submits that co-accused Awanish Singh whose case stands on similar footing has been granted privilege of regular bail vide order dated 15.01.2018 passed by a coordinate Bench of this Court in Cr.Misc.No.2620 of 2018.

Learned counsel representing the State assisted by learned counsel representing the injured opposed the prayer for bail, but it has been admitted that the case of the co-accused, who has been granted bail, is similar to the case of the present petitioner.

In the facts and circumstances, let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs.15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Town P.S. Case



No.316 of 2017, subject to the conditions U/S 437(3) Cr.P.C. and subject to the further condition that the petitioner shall cooperate in course of trial and two consecutive defaults in putting appearance before the learned court below without any plausible reason shall lead to cancellation of his bail.

(Rajeev Ranjan Prasad, J)

Arvind/-

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