

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.10015 of 2018**

Arising Out of PS. Case No.-74 Year-2017 Thana- NAWAKOTHI District- Begusarai

Vijay Rajak S/o Fulchan Rajak, R/o Village- Jitpur, P.S.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pritish Kumar Lal  
For the Opposite Party/s : Smt. Veena Rani Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE PRAKASH CHANDRA JAISWAL**

ORAL ORDER

3     19-03-2018                      Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in connection with Naokothi P.S. Case No. 74 of 2017 registered under Section 307/34 of the Indian Penal Code and under Section 27 of the Arms Act.

The petitioner is said to have resorted firing upon the father of the informant in course of retreat after getting co-accused namely, Rupesh Kumar set free from the clutch of the informant and his father in presence of several persons at his house.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. The petitioner has been falsely implicated in this case by the informant due to animosity. Neither the informant nor injured



nor any family members of the informant has divulged the part of the person of the injured sustained fire arm injury. Though, as per FIR, several persons were present at the place of occurrence, but barring the informant and his family members, none of the independent witness has supported the occurrence. Doctor has also not reported the part of the person sustaining injury as he has simply stated that intestine of the injured was punctured and his iliac bone was fractured. He has also not opined the nature of the weapon used in the assault rather has disclosed the injury sustained by fire arm on the basis of disclosure of the same by the injured. He has been languishing in custody since 23.08.2017.

In the facts and circumstances of the case, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate-1st Class, Begusarai in connection with Naokothi P.S. Case No. 74 of 2017.

**(Prakash Chandra Jaiswal, J)**

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