

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.10597 of 2018

Arising Out of PS.Case No. -28 Year- 2017 Thana -DUMARIA District- GAYA

Nagendra Kumar, son of Sri Saryu Prasad, resident of Village Sonapur, PS
Dumaria, District Gaya Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kr. Sinha

For the Opposite Party/s : Mr. Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR

ORAL ORDER

2 22-02-2018 Heard learned Counsel for the petitioner and the State.

Petitioner, already in custody, seeks bail in Dumaria PS Case No. 28 of 2017 registered under Sections 147, 148, 149, 302, 435 and 379 of the IPC.

The allegation in brief is that the petitioner and Satendra Prasad came and started abusing the informant's husband rebuking him for taking illegal possession of his land and Satyendra Prasad snatched the rifle of the informant's husband and shot at him, thereafter eight other accused persons assaulted with iron rod and garasa.

Learned Counsel for the petitioner submits that there is no enmity in between the petitioner and the informant, he is tenant of Satyendra Prasad and therefore has been falsely implicated in this case, however there is no specific allegation of any specific overt act against him except abusing the informant's husband and the petitioner has no criminal antecedent. Further submission is that allegation of shooting at the deceased is only against Satyendra Prasad.

Having considered the said facts and circumstances, the petitioner, namely, Nagendra Kumar is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of SDJM Sherghati, Gaya in connection with Dumaria PS Case No. 28 of 2017.

Snkumar/-

(Arun Kumar, J.)

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