

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.32205 of 2018

Arising Out of PS.Case No. -321 Year- 2017 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

=====

Vivek Ram, son of Late Dharmbir Ram, resident of Village Gokulpur, P.S.
– Harnaut (Gokulpur), District-Nalanda.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bijay Kumar

For the Opposite Party/s : Mr. Sri Madan Kumar

=====

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 12-06-2018 Heard learned Senior counsel for the petitioner and learned
APP for the State.

The petitioner, in the present case, is seeking regular bail in connection with Harnaut (Gokulpur) P.S. Case No. 321 of 2017 G.R. No. 3865 of 2017, registered for offences alleged under Sections 147, 148, 149, 307, 341 of the Indian Penal Code and Section 27 of the Arms Act.

It is submitted that according to the *Fardbeyan* the petitioner had fired on the husband of the informant which hit the left hand of her husband.

Learned Senior counsel representing the petitioner points out that the prosecution case as disclosed in the *Fardbeyan* was that the co-accused Rakesh Ram had fired from a close range



causing injury in the stomach of her husband. However the said co-accused Rakesh Ram has been granted regular bail by a coordinate Bench of this Court vide order dated 01.05.2018 passed in Cr. Misc. No. 21879 of 2018 (Annexure 4) by a detailed and reasoned order.

Learned Senior counsel submits that apart from the fact that the *Fardbeyan* in this case was got recorded after a delay of three days from the alleged date of occurrence, it may be found that the prior enmity between the parties has also been admitted and this petitioner has got no criminal antecedent. He is in custody since 22.03.2018.

On the other hand, the learned APP representing the State opposed the prayer for regular bail of the petitioner.

Considering the facts and circumstances of the case as also the fact that the co-accused Rakesh Ram has been granted regular bail by a coordinate Bench of this Court, vide Annexure 4 to the present application, I am inclined to grant regular bail to the petitioner. Let the petitioner, above named, be enlarged on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Nalanda, Biharsarif in connection with Harnaut (Gokhulpur O.P.) P.S. Case No. 321 of 2017 G.R. No.



3865 of 2017, subject to the conditions U/S 437(3) Cr.P.C.

(Rajeev Ranjan Prasad, J)

Arvind/-
Ved/Saurabh/-

U		T	
---	--	---	--

