

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.23489 of 2018

Arising Out of PS. Case No.-36 Year-2017 Thana- NASRIGANJ District- Rohtas

Rajesh Kumar S/o Ram Awtar Singh @ Ramautar Singh @ Ram Autar Singh,
R/o Vill.- Turki, P.S.- Agrer, District- Rohtas (Sasaram).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lilawati Singh

For the Opposite Party/s : Mr. Shyam Bihari Singh

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 20-06-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner had earlier moved this Court for grant of
bail in Cr. Misc. No. 41775 of 2017, which was rejected vide
order dated 06.11.2017.

Petitioner is languishing in judicial custody since
17.05.2017 in connection with Sessions Trial No. 442 of 2017,
arising out of Nasriganj P.S. Case No. 36/2017 for offences
punishable under Sections 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case, as lodged by the informant,
who is also the victim, is that the petitioner had taken him away
for watching a dance show in his motorcycle and on the way
one another person also came. When petitioner and another



person stopped the motorcycle for natural call, the informant was shot by the petitioner twice, who ran away inside the field to save his life.

It has been submitted by the learned counsel for the petitioner that he is innocent, the First Information Report and the re-statement of the informant has contradictions and it is not ascertained as to who fired on the informant as he did not see who fired the first shot. The petitioner undertakes to cooperate in the trial on day-to-day basis.

However, learned APP for the State opposes the prayer for bail stating therein that the injury report specifies two injuries caused by fire-arm and has been opined to be dangerous to life.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Assistant Sessions Judge, Rohtas at Sasaram, in connection with Sessions Trial No. 442 of 2017, arising out of Nasriganj P.S. Case No. 36/2017, subject to the following conditions :



- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) Petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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

