

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64774 of 2018

Arising Out of PS. Case No.-123 Year-2018 Thana- SAUR BAZAR District- Saharsa

Bodhi Mian @ Boudhi Miyan, Son of Late Moin Sah @ Mian, Resident of Village- Kanp, East Tola, Sirha Ram Nagar, P.S.- Sour Bazar, District- Saharsa.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Nand Kumar

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 29-11-2018 Petitioner prays for bail in connection with Sour Bazar P.S.Case No. 123 of 2018 registered for the offences punishable under Sections 341, 323, 379, 307, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is of firing on the informant and causing injury on his chest.

Submission of learned counsel for the petitioner is that there is enmity between the parties from before as earlier two cases were lodged by brother-in-law of the petitioner against informant with respect to kidnapping of minor daughter and as such he has falsely been implicated in this case and though informant was examined in Government Hospital at Sour Bazar but no injury report was produced and injury report



of a private nursing home has been brought on record showing grievous injury and moreover petitioner is in custody for more than six months.

Heard learned APP also, who has admitted that injury report of private nursing home has been brought on record showing grievous injury.

Having heard both sides and in the facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Saharsa, in connection with Sour Bazar P.S.Case No. 123 of 2018, subject to the condition that one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of the court concerned.

(Vinod Kumar Sinha, J)

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