

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69422 of 2018

Arising Out of PS. Case No.-105 Year-2018 Thana- SALAKHUA District- Saharsa

Lalikant Nishad, Son of Sulendra Nishad, Resident of Village- Alani, P.S.-
Salkhua O.P., Chiraiya, District- Saharsa.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Advocate.

For the Opposite Party/s : Mr. Sri Ganesh Prasad Singh, APP.

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-12-2018 Heard Mr. Subesh Sharma, learned counsel for
the petitioner and Mr. Ganesh Prasad Singh, learned APP
for the State.

The petitioner seeks bail in anticipation of his arrest in connection with Salkhua (O.P. Chiraiya) P.S. Case No. 105 of 2018 dated 24.05.2018 instituted for the offences under Sections 307, 506 and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

The informant has alleged that while he was sleeping in the night on a bench, he felt as if somebody had fired from behind. His family members came to his rescue. In the torch light, the informant claims to have identified the petitioner and several others. The informant has also stated that he was threatened in the past of being killed. The cause of occurrence, it has been alleged is a dispute over accounting with respect to construction from



the funds of the Zila Parishad.

Learned counsel appearing for the petitioner has submitted that the petitioner has only been seen running away from the place of occurrence. He further submits that he has been made accused in this case because of old enmity which has been admitted in the FIR. The reason suggested by the informant for his having been shot at does not appear to be correct as there was a dispute with respect to accounting in the construction work sometimes in the year 2014.

Taking into account the clean antecedents of the petitioner and there being no specific accusation against him, he is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate IV, Saharsa in connection with Salkhua (O.P.) P.S. Case No. 105 of 2018, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Ashutosh Kumar, J)

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