

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3740 of 2019

Arising Out of PS. Case No.-447 Year-2018 Thana- KATIHAR District- Katihar

Shailendra Singh son of Ram Vilash Singh Resident of Mohalla- Gaushala,
P.S- Katihar Sahayak, Dist- Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 30-01-2019 Heard learned counsel for the petitioner and the learned
APP for the State.

The petitioner seeks bail in Katihar Nagar Sahayak
P.S. case no. 447 of 2018 instituted for the offence under Sections
307 and 326 of the Indian Penal Code and Section 27 of Arms
Act.

Learned counsel for petitioner submits that FIR is
against unknown. The informant has alleged that two unknown
persons came on motorcycle and fired upon him twice on account
of which he sustained injuries on the right thigh and in the side
of his private part. The learned Sessions Judge has mentioned in
the impugned order that name of this petitioner has come in
para 25 and 26 of the case diary and police has recorded
confessional statement of this petitioner in para 31 of the case



diary.

Learned counsel for petitioner submits that it is mentioned in para 10 of the bail petition that in para 25 of the case diary there is statement of one Shiv Prasad Ram which was recorded on 15.7.2018 i.e. after four days of the alleged occurrence and he has stated that in the night of 11.7.2018 at 11.45 pm while he was returning after a meeting he saw that this petitioner and other accused persons were on motorcycle and in para 26 there is statement of Praveen Kumar Jha who has stated that in the night of 12.7.2018 he saw that this petitioner and other accused persons were running away on motorcycle .

In this manner, mere suspicion has been raised against this petitioner.

Petitioner is in custody since 24.08.2018.

Considering the aforesaid, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sessions Judge, Katihar, in connection with Katihar Nagar Sahayak P.S. case no. 447 of 2018 subject to the condition that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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