

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10336 of 2019**

Arising Out of PS. Case No.-233 Year-2018 Thana- DINARA District- Rohtas

LALLU SINGH Son of Sri Bhagavan Singh Resident of Village - Chilharua,
P.S-Dinara (Bhanas) Dist.-Rohtas.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajeev Kumar

For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 11-04-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under Sections-341, 307, 302, 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, in short, is that while the informant was returning home after performing Kirtan, in the way, the accused persons surrounded him and fired which hit on his neck and stomach.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 07-09-2018. Charge sheet in this case has already been submitted. The petitioner has



been falsely implicated in the present case. There is allegation that the petitioner fired upon the deceased. The alleged occurrence is said to have taken place on 03-07-2018. The case was instituted for offence under Section 307 of the Indian Penal Code. Subsequently after lapse of approximately two months, the injured died on 02-09-2018. As per postmortem report, the death is said to have taken place due to septicemic shock. As per medical jurisprudence, the death has not taken place due to primary haemorrhage rather it has taken place due to secondary haemorrhage. Hence at best a case u/S 307 of the Indian Penal Code is made out against the petitioner.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist Class, Bikram, Rohtas in connection with Dinara (Bhanas) P.S. Case No. 233 of 2018.

(Sudhir Singh, J)

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