

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29245 of 2019

Arising Out of PS. Case No.-30 Year-2019 Thana- HASANPUR District- Samastipur

Keshav Jha, Son of Arun Jha, Resident of Shasan, Hasanpur, P.S.- Hasanpur
Road, District- Samastipur, Bihar - 848205

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Binod Bihari Sinha, Advocate
For the informant	:	Mr. Mirtyunjay Kumar, Advocate,
For the Opposite Party/s	:	Mr.Yogendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

3 17-07-2019 Heard learned counsel for the petitioner, learned
counsel appearing on behalf of the informant and the learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection
with Hasanpur P.S. Case no. 30 of 2019, registered under
Sections 307/34 of the Indian Penal Code and Section 27 of the
Arms Act.

The accusation is that on 17.02.2019 at about 11.00
P.M. informant was sleeping in his room, at that time, he heard
the sound of firing and a bullet came in his room passing
through the window and fell on the pillow. In the meantime,
when informant came out after opening the room then he heard
the sound of his father Ramchandra Rai and brother-in-law
Anil Rai. Thereafter, Ramchandra Rai, father of the informant,



informed him that he went to urinate then petitioner and one Deodutt Jha along with four unknown were seen moving towards the window, who were armed with pistol, and petitioner fired through pistol at the window. The cause of occurrence is that petitioner and co-accused Deodutt Jha are criminals and several cases are pending against them.

Learned counsel for the petitioner submits that, in fact, petitioner and informant are co-villagers and due to dirty village politics, the petitioner and Deodutt Jha have falsely been implicated in this case. Further submission is that it is alleged in the F.I.R. that firing was made by petitioner from the window of the informant and bullet came in his room and fell on the pillow of the informant, but the bullet was not seized from the room of the informant, rather, the same was produced to the Police by the informant. Further submission is that petitioner is accused in three other cases, as detailed in para-3 of the petition, due to that reasons, he has falsely been implicated in this case, but petitioner is on bail in all the three cases.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below



within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the A.C.J.M-III, Rosera, Samastipur in connection with Hasanpur P.S. Case No. 30 of 2019, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Rajendra Kumar Mishra, J)

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