

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30645 of 2019

Arising Out of PS. Case No.-320 Year-2016 Thana- NAUBATPUR District- Patna

Prabhu Rai S/o Prem Chandra Rai R/o Village- Adala Tola, P.S.- Naubatpur,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Singh

For the Opposite Party/s : Mr.Md. Matloob Rab

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 20-06-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Sections 341, 323, 504, 307/34 of the Indian Penal Code and
27, 25(i-B)A, 26, 35 of the Arms Act.

The prosecution case in short is that the accused persons
including the petitioner fired on the informant but anyhow he
escaped. It is also alleged the accused persons assaulted the
informant and his nephew, as a result of which, they sustained
injuries.

It has been submitted on behalf of the petitioner that there
is no allegation of tampering of witnesses alleged against the
petitioner. The petitioner is in custody since 03-04-2019. The
petitioner has been falsely implicated in the present case. There



is case and counter case between the parties. The injury on the side of the accused has not been explained by the prosecution. The prosecution has not come with clean hands. One country-made pistol and two empty cartridges were said to be recovered from joint house of the petitioner. There is no compliance of Section 100 of Cr.P.C.

On behalf of the State, it is submitted that the petitioner is named in the Complaint Case/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 Additional Chief Judicial Magistrate-II, Danapur in connection with Naubatpur P.S. Case No. 320 of 2016.

(Sudhir Singh, J)

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