

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76603 of 2018

Arising Out of PS. Case No.-183 Year-2018 Thana- BAHADURPUR District- Patna

Harsh Rah @ Golu, Son of Sri Umesh Singh, but the Police has arrested and remanded him in the name of Golu @ Harsh Raj, Resident of Village- Bahadurpur, P.S. Bahadurpur, Distt.-Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mrs. Babita Kumari, Advocate.

For the Opposite Party : Mr.Sir Pawan Kumar Chaurasiya

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

5 11-04-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is languishing in custody since 08.08.2018 in a case for the offence registered under Sections 302/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that the son of the informant, namely, Aman Kumar, used to study by staying in Room No. A1 of Mehta Lodge. It is further stated that on 11.07.2018, he received a telephonic information at 9.30 P.M. through Alok who is his room-mate that his son has sustained firearm injury and has been admitted in P.M.C.H. When he went there, he came to know that the place where the occurrence had taken place, at that time, his son was in conscious position who



stated to police that he was fired at by Golu and alongwith him there 6-7 more persons. Before arriving at P.M.C.H., his son has succumbed to injuries. He further requested that interrogation must be done of boys of the room.

It has been submitted by learned counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. As per the F.I.R., the informant claims that the deceased while being taken to hospital by the police had disclosed the name of this petitioner. The statement of the police has been recorded in paragraph no. 9 of the case diary. The said witness does not support the contention made by the informant in respect of disclosure naming the petitioner in the case diary. There is no eye witness to the alleged occurrence nor there is any circumstantial evidence to suggest the involvement of the petitioner in the present case.

On behalf of the learned counsel for the State, it has been 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 the learned A.C.J.M.-
II, Patna City, in connection with Bahadurpur P.S. Case No. 183
of 2018.

(Sudhir Singh, J)

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