

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58198 of 2019

Arising Out of PS. Case No.-154 Year-2019 Thana- PHULPARAS District- Madhubani

Lal Bihari Kamat Son of - Late Bilat Kamat Resident of Village- Brahamnpur,
P.S.- Phulparas, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pankaj Kumar

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case registered under
Section 307 of the Indian Penal Code and 25(1-b)A, 26, 27 of
Arms Act.

Allegation is that the petitioner fired upon Mritunjay
Kumar from his pistol, due to which he sustained injury on back
side of his head and one country made pistol with an empty
cartridge is recovered.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 14.05.2019 and has got no
criminal antecedent. Charge sheet has been submitted in this
case. There is no allegation of tampering of witnesses alleged
against the petitioner. The nature of injury is said to be simple.



Hence, no offence under Section 307 of the I.P.C. is made out.
One country made pistol with an empty cartridge is recovered.
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 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 IInd, Jhanjharpur, Madhubani in
connection with Phulparas P.S. case No.154 of 2019
corresponding to G.R. No.687 of 2019.

(Sudhir Singh, J)

Narendra/-

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