

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61662 of 2019

Arising Out of PS. Case No.-377 Year-2019 Thana- DIGHA District- Patna

SARWA RAI @ SARWANAND PRASAD, Son of Late Vishwanath Rai
Resident of Village - Mica Colony, Digha, P.S.- Digha, Distt - Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Vijay Kumar Sinha
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR MISHRA

ORAL ORDER

3 24-10-2019 Heard learned counsel for the petitioner, learned counsel appearing on behalf of informant and the learned A.P.P. for the State.

The petitioner apprehends his arrest in connection with Digha P.S. Case no. 377 of 2019, registered under Sections 341, 323, 504, 325, 447, 307 and 379/34 of the Indian Penal Code and Section 27 of the Arms Act.

The accusation is that in the morning of 05.07.2019, Ramadhar Rai, father of informant Mahanand Singh, was in the orchard, at that time, nine persons named in the F.I.R., including the petitioner, came there and started to abuse due to dispute of cutting of tree. When father of informant made protest then Bidhanchand Rai, with intention to kill, caused fractured injury at his leg. At that time, petitioner



opened fire, but the same was missed. Thereafter, Manoj Rai came there and assaulted to Amit Kumar, son of informant, through iron rod.

Learned counsel for the petitioner submits that it would appear from the F.I.R. that allegation against the petitioner is to open fire, but the same was missed and not hit to anyone. The petitioner has no criminal antecedent.

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 S.DJ.M., Patna in connection with Digha P.S. Case No. 377 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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