

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73940 of 2018

Arising Out of PS. Case No.-37 Year-2018 Thana- SULTANGANJ District- Bhagalpur

Gore Lal Bind, Son of Kishori Bind, Resident of Asiya Chak, P.S. Sultanganj,
District- Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mrityunjay Kumar, Advocate.

For the Opposite Party/s : Mr. Nityanand Tiwary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 11-01-2019 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in Sultanganj P.S. Case No. 37 of 2018, instituted for the offence under Sections 147, 148, 149, 323, 341, 302 of the Indian Penal Code and Section 27 of the Arms Act.

In the written report it is alleged that Anjani Bind fired shot on the back of husband of the informant, on account of which, he fell down. Allegation against the petitioner is of causing firearm injury below the right elbow of her husband. The husband of informant subsequently died during course of treatment.

Case diary has been received.

Post mortem report is available in the case diary wherein the Doctor has found one wound of entry measuring 1/2" x 1/4" with inverted margin and about 1" diameter of blackening all around was found over left side lumbar region vertebred lued, 3"



lateral to mid-line on the left caused by firearm. The other injuries found on the person of the deceased were caused by hard and blunt force.

From the written report it appears that allegation of causing firearm injuries on back of informant has been made against Anjali Bind. The allegation against petitioner is of firing one shot which hit below the elbow of the informant. But no such injury has been found by the Doctor on the person of deceased in the post mortem report.

Counsel for the petitioner submits that petitioner is in custody since 6.3.2018 having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-2, Bhagalpur, in connection with Sultanganj P.S. Case No. 37 of 2018, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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