

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75847 of 2018

Arising Out of PS. Case No.-195 Year-2018 Thana- KHAJEKALA District- Patna

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Ganesh Jaiswal, Son of Late Durga Pd. Jaiswal, Resident of Mohalla-Kali
Asthan Begam Ki Haveli,P.S. Khajekalan,Distt.-Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar

For the Opposite Party/s : Mr.Sri Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

5 28-02-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
02.07.2018 in a case registered for the offences punishable
under Sections 307/34 of the Indian Penal Code and Section 27
of the Arms Act.

The accusation against the petitioner and co-accused
Kallu @ Rahul is that they made indiscriminate firing on the
informant causing injury on the head, right wrist and the chest
of the informant.

It is submitted by learned counsel for the petitioner
that the injury of the informant has been examined in Nalanda
Medical College & Hospital, Patna when six lacerated injuries
have been found, most of them are skin deep and the injuries
after radiological examination have been found simple in nature.



It is further submitted that similarly situated co-accused Kallu @ Rahul has been granted bail by a Co-ordinate Bench of this Court on the ground that the injury has been found simple in nature.

Learned APP submits that there is direct accusation against the petitioner.

Considering the fact that though the petitioner is accused in one another case but keeping in view the fact that the injuries have been found simple, similarly situated co-accused has been granted bail and investigation has already been concluded, let the above named petitioner 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 Sub-divisional Judicial Magistrate, Patna City in connection with Khajekalan P.S. Case No. 195 of 2018.

The learned Court below will be at liberty to cancel the bail bonds of the petitioner in two eventualities; if the petitioner defaults for two consecutive occasions or gets substantially involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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