

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75002 of 2018

Arising Out of PS. Case No.-169 Year-2018 Thana- DINARA District- Rohtas

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Banti Sah @ Banti Keshari Son of Satyanarayan Sah, Resident of Village-
Marua, P.S.- Dinara, District- Rohtas at Sasaram.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Babu Nandan Prasad

For the Opposite Party/s : Mr. Ram Naresh Ray

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 24-01-2019 Heard learned counsels for the parties.

The petitioner is languishing in custody since 27.7.2018 in a case registered for the offences punishable under Sections 307/34 of the I.P.C. and Section 27 of the Arms Act.

The prosecution case as per the Fardbeyan of Ram Kailash Singh recorded by SI Doman Paswan on 15.5.2018 at 3.45 P.M. at Rajendra Surgical Ward of PMCH, is to the effect that the petitioner took loan of Rupees Two Lacs and subsequently Rupees Eighty Five Thousand from the informant but inspite of repeated assurances, the petitioner failed to return the same. On 13.5.2018 at 9 A.M. the petitioner came to the outer portion of the informant's house and conveyed that he is



coming soon then the informant left the door open but at mid night the petitioner came and fired twice, of which one shot hit the back of the informant, while the other shot missed him. Thereafter, the informant saw that two persons were waiting outside. On alarm, the petitioner escaped from the scene.

It is submitted by learned counsel for the petitioner that on suspicion due to a dispute concerning loan amount the accusation has been levelled. It is further submitted that the petitioner is alleged to have been identified at the house of the informant, at midnight, when the light was insufficient. The occurrence took place on 14.5.2018 when the Fardbeyan was recorded on 15.5.2018 at 3.45 P.M. at PMCH and the FIR could be registered only on 2.6.2018. The petitioner is accused in three other cases but he is already on bail in all those cases.

Learned APP and learned counsel for the informant opposed the prayer for bail on the ground that specific accusation of firing is against the petitioner and the accusation is being corroborated by the medical opinion.

Considering the delayed registration of the FIR and the period in custody, 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 the learned JM Ist Class, Bikramganj,
Rohtas in connection with Dinara P.S. Case No.169 of
2018.

(Dinesh Kumar Singh, J)

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