

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3762 of 2020

Arising Out of PS. Case No.-145 Year-2019 Thana- SHAHKUND District- Bhagalpur

AWDHESH KUMAR Son of Dashrath Prasad Singh Resident of Village-
Kamalpur, P.S.- Sajour, Distt- Bhagalpur.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Indeshwari Prasad Mandal, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 21-01-2020 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner in this case is seeking regular bail in connection with Shahkund (Sajour) P.S. Case No. 145 of 2019 registered for the offences punishable under Sections 341, 323, 307, 504 and 34 of the Indian Penal Code and Sections 25(1-b)a, 26/27 of the Arms Act.

Learned counsel for the petitioner submits that the petitioner is alleged to have fired in air and no injury has been caused to anyone from the informant's side and the parties are co-sharers having dispute over a piece of land.

Learned APP for the State has opposed the prayer of regular bail of the petitioner.

Considering the facts and circumstance of the case wherein the submission of learned counsel for the petitioner is that no firearm injury has been caused by this petitioner to the informant's



side and the allegation is that of firing in air and further submission that the petitioner is in custody since 26.09.2019 and the alleged occurrence has taken place between the co-sharers on the issue of construction over a piece of land, let the petitioner above named be released on bail in connection with Shahkund (Sajour) P.S. Case No. 145 of 2019 on furnishing of bail bond of Rs. 15,000/- (fifteen thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Bhagalpur, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under:

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any Police officer or tamper with the evidence.

(Rajeev Ranjan Prasad, J)

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