

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11517 of 2020

Arising Out of PS. Case No.-734 Year-2019 Thana- DEHRI TOWN District- Rohtas

KAMLESH SINGH @ RAM CHANDRA SINGH SIKRIWAL (Male), aged about 42 years, Son of Lalan Singh, Resident of Village- Bastipur, P.S.- Dehri (Indrapuri), District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Sada Nand Roy, Advocate.
For the Opposite Party : Mr.Manoj Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 28-02-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Sections 147, 148, 149, 323, 307, 504 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 23.10.2019 at about 3.30 hours, the informant was going at Katar Balughat with *Poplane*. Co-accused Kamlesh Singh and Ram Niwas Singh blocked the government land on the Path. While the informant was bringing the *Poplane* on the direction of S.D.O., co-accused Ram Niwas Singh and Kamlesh Singh started abusing and Mar-pit and started firing and Ajit Yadav and Dipak Kumar assaulted on his head with rod causing fracture injury. Co-accused Tana Singh and Bittu Singh assaulted with lathi. In the said Mar-pit, Ram Pratap Singh sustained injuries.



It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 13.12.2019. The petitioner has got no criminal antecedent. He has falsely been implicated in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is alleged to have fired during the course of occurrence but no any firearm injury caused to the informant or any other persons. Hence, the injury report falsifies the prosecution case itself. There is case and counter case between the parties.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned S.D.J.M. Dehri (Rohtas), in connection with Dehri (Indrapuri) P.S. Case No. 734 of 2019.

(Sudhir Singh, J)

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