

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25203 of 2020

Arising Out of PS. Case No.-17 Year-2020 Thana- PIPRA District- Supaul

HARE RAM PANDIT @ JANARDAN PANDIT Son of Dhaneshwar Pandit
Resident of Village - Baghla Patarghatti, P.S.- Triveniganj, District - Supaul.
... .. Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner : Mr. Prafull Chandra Thakur
For the State : Mr. Anant Kumar, APP
For the Informant : Mr. Gopal Kumar Jha

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 13-10-2020 Heard Mr. Prafull Chandra Thakur, learned counsel appearing on behalf of the petitioner, Mr. Anant Kumar, learned Additional Public Prosecutor, for the State of Bihar and Mr. Gopal Kumar Jha, learned counsel representing the informant.

This application for grant of regular bail arises out of Pipara P. S. Case No. 17/20, registered for the offence punishable under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The occurrence, as alleged in the First Information Report, is of 16.01.2020. The informant has alleged that the miscreants, four in number, came in two motorcycles and fired at him. He is said to have received injuries in his right shoulder and on the right side of his stomach. It has been alleged that the occurrence had taken place because of land dispute. It is



noteworthy that the First Information Report was registered on 22.01.2020, though the distance of the police station from the place of occurrence has been mentioned in the First Information Report as two km. only.

It further transpires from the First Information report, which is based on *fard-beyan* of the informant recorded by the Station House Officer at Surya Hospital, Saharsa, that, allegedly, the informant was taken to a private hospital for treatment.

Be that as it may, delay of six days in lodging of the First Information Report casts some doubt on the veracity of the prosecution's case and for the said reason, a case for grant of regular bail is made out.

In view of above noted discussions, this application 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 the learned A.C.J.M.-VI, Supaul, in Pipara P. S. Case No. 17/20.

It is directed that the defect(s) in the application, pointed out by the Registry, must be removed within two months.



Since COVID-19 Pandemic situation is prevailing, the Court has considered it appropriate to adopt following procedure for communication of the present order :-

(i) The order, which has been dictated during the course of the proceedings of virtual Court, shall be communicated to me on my e-mail I.D. by the Secretary.

(ii) The corrected copy of the order shall be transmitted by me from my e-mail I.D. to the Secretary, which shall be treated to be the authentic copy of the order passed by this Court today in the present proceeding.

(iii) Hard copy of the order, duly signed by me, shall be preserved in my residential-office for documentation and future use, if any.

(iv) Let a copy of the order be communicated to the learned Court below through e-mail or any other appropriate electronic mode by the Registry.

Let steps be taken by the Registry for uploading of the present order without compromising with the norms of social distancing.

(Chakradhari Sharan Singh, J)

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