

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70594 of 2019

Arising Out of PS. Case No.-129 Year-2019 Thana- BIBHUTIPUR District- Samastipur

MD. RAVI @ NEPALI @ MD. RAHIM Son of Abdul Rahmat @ Bachuchu
Miya @ Md. Bachu Resident of Village- Belsandi Tara, P.S.- Bibhutipur,
District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh

For the Opposite Party/s : Mr.Satyendra Narayan Singh

CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

3 05-03-2020 Heard learned counsel for the parties.

This application for regular bail arises out of Bibhutipur P.S. Case No. 129 of 2019, disclosing offence punishable under Sections 324, 307 of the Indian Penal Code and Section 25(1-B) A/27, 26 of the Arms Act.

It is alleged in the FIR that the petitioner was one of the members of a *Barat* procession and was carrying a fire-arm. He is said to have opened fire with intention to kill the informant's brother, which, allegedly, hit the informant's brother in his chest.

Learned counsel appearing on behalf of the petitioner has submitted that the case of the prosecution stands falsified in view of the injury report in which the injury has been found to



have been caused in the left calf of the informant's brother. The injury has been found to be simple in nature. The petitioner is in custody since 19.06.2019.

Considering the above submission and the fact that the petitioner is in custody since 19.06.2019, this application is allowed. 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 learned Judicial Magistrate-Ist Class, Rosera, Samastipur in Bibhutipur P.S. Case No. 129 of 2019.

This is subject to the condition that the petitioner shall present himself before the Police/ Court, as the case may be, as and when required and in the event of failure on his part to appear before the court on two consecutive occasions, his bail bonds shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

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