

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15129 of 2021

Arising Out of PS. Case No.-55 Year-2015 Thana- NIMACHANDPURA District- Begusarai

Bibhuti Singh @ Baua Singh, S/O Late Rajo Singh, Resident of Village Chandpura, PS-Neemachandpura, District Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Binod Kumar, Adv.

For the Opposite Party/s : Mr.Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 19-07-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual court proceedings.

Learned counsel for the petitioner undertakes to remove the defects as pointed out by the office within four weeks of normal functioning of the court, failing which the office is directed to place the matter before the Bench.

The petitioner seeks bail in a case registered for the offence punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Prosecution case, as lodged by the informant is that while he was sitting near a Thakurbar, the petitioner alongwith five other accused persons in three motorcycles came and stated



indiscriminate firing. When the informant tried to flee away, co-accuse, namely Bibhuti Singh fired on the informant which missed. The petitioner also fired which hit his right thigh.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that from perusal of the FIR, it transpires that the petitioner fired upon the informant, but he escaped and the bullet missed. In the meantime, other accused persons also fired upon the informant and due to which he injured. The petitioner is languishing in judicial custody since 05.11.2020. The petitioner has got 02 criminal antecedents which is mentioned in para 3 of the bail petition. The similarly situated co-accused have been granted bail by different co-ordinate Benches of this Court, which is annexed as Annexure-2 Series of the bail application.

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

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees twenty five thousand) with two sureties of the like amount each in connection with Neemachandpura P.S. Case No. 55/2015 to the



satisfaction of learned Court below where the case is pending/
successor Court.

(Anjani Kumar Sharan, J)

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