

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24889 of 2021

Arising Out of PS. Case No.-135 Year-2020 Thana- DHARHARA District- Munger

Hira Singh Son Of Harihar Singh R/O Village- Bhalar, P.S.- Dharahra,
District- Munger.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Kamal Kishore Jha, Advocate

For the Opposite Party/s : Mr.NS Tanti, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 307 and other ancillary sections of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, this petitioner and other accused persons made indiscriminate firing on the son of the informant. It is further alleged that firing made by this petitioner hit the chest of the informant as a result of which he sustained fire arm injury.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Informant is not the eye witness of the occurrence and the injury sustained by him has been found to be simple in nature. Petitioner has claimed clean antecedent and he is in custody since 22.9.2020. Investigation is complete.

Learned counsel appearing for the State opposes the



prayer for bail.

Considering the rival submissions of the parties, materials available on the record and the fact that the petitioner bears clean antecedent, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class, Munger in Dharahara Police Station Case No. 135 of 2020 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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