

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34320 of 2020

Arising Out of PS. Case No.-35 Year-2020 Thana- RAJGIR District- Nalanda

NIRAJ KUMAR S/o Virju Yadav Resident of Village-Near Shiwani Hall
Rajgir, Police Station-Rajgir, District-Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar, Advocate
For the Opposite Party/s : Mr. N.N. Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 17-03-2021 Heard learned counsel for the petitioner and learned
APP for the State through virtual mode.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 341, 323, 307, 379, 34 of the Indian
Penal Code and Section 27 of the Arms Act.

Allegation is that the petitioner fired from the pistol,
but it did not hit the informant. Thereafter the petitioner
assaulted the informant by means of butt of the pistol which
caused injury on his eye.

It has been submitted on behalf of the petitioner that
there is no allegation of tampering of witnesses alleged against



the petitioner. The petitioner is said to have used only butt of the pistol. The petitioner had no intention to commit murder of the informant. Hence, no offence under Section 307 of I.P.C. is made out. The nature of injury is said to be superficial.

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, in the event of arrest/surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Biharsarif, District Nalanda in connection with Rajgir P.S. case No.35 of 2020, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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