

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35990 of 2020

Arising Out of PS. Case No.-485 Year-2019 Thana- GAURICHAK District- Patna

SIKHAULI RAI @ SUGAULI RAI @ SIGAULI RAI @ SURYA PRAKASH
KUMAR Son of Sri Vidya Rai @ Bidha Rai Resident of Village - Jamanpura,
P.S.- Gaurichak, District - Patna

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Thakur
: Mr. Udbhav
For the Opposite Party/s : Mr. Ram Priya Sharan Singh

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 26-03-2021 Heard Mr. Ajay Kumar Thakur, learned counsel

for the petitioner and Mr. Ram Priya Sharan Singh, learned

APP for the State.

The petitioner seeks bail in anticipation of his

arrest in connection with Gaurichak P.S. Case No. 485 of

2019 instituted for the offences under Sections 341, 307/34

of the Indian Penal Code and Section 27 of the Arms Act.

The informant is said to have been fired at by two

of the accused persons including the petitioner. As the

accusation stands, one Munna Rai is said to have fired from

his weapon which hit him in his right ear-lobes. The

petitioner's shot hit him behind the right portion of his back.



Learned counsel for the petitioner has submitted that an absolutely false and concocted case has been lodged by the informant which becomes very evident from the injury report. The informant / victim appears to have received two lacerated wounds; one on the scapular region of his body and other on his cheek. There is no injury on the back of the victim. There is also no opinion with respect to the victim having received any gun shot injury. It further appears from the injury report that the informant / victim left the hospital against medical advice on 02.01.2020.

The petitioner earlier was made accused in two cases about which reference has been given in paragraph -3 of the bail petition. In one of the cases, the cognizance was taken only under Sections 341, 323, 504/34 of the Indian Penal in which the petitioner has been granted bail whereas in the other, final form has been submitted.

Considering the afore-noted facts, the petitioner, above named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of eight weeks from the date of receipt / production



of a copy of this order, on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate -VI, Patna City, in connection with Gaurichak P.S. Case No. 485 of 2019, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Ashutosh Kumar, J)

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