

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5855 of 2021

Arising Out of PS. Case No.-203 Year-2020 Thana- PATORI District- Samastipur

JHANTU RAY son of Hulas Ray Resident of Dumari (Uttari), P.S.- Sahpur
Patori (Mohanpur O.P.), District- Samastipur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pritish Kumar Lal, Adv
For the Opposite Party/s	:	Mr. Yogendra Kumar, APP
For the Informant	:	Mr. Manoj Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 15-07-2021 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 341 and 307 of the Indian Penal Code and section 27 of the Arms Act.

Informant in his fardbeyan has alleged that on 07.06.2020 at about 5:00 am his son Ram Nath Ray had gone to measure milk, petitioner Jhantu Ray fired twice from behind on as a result of which his son became unconscious and Jhantu Ray (petitioner) fled away.

It is submitted on behalf of petitioner that the statement of the injured has been recorded by the police in which he has stated that he was riding the motorcycle and petitioner fired from behind which hit him. Learned counsel for the petitioner submits that he is innocent and has been falsely implicated in

this case due to previous enmity. There is material contradiction in statement of informant and victim with respect to manner of occurrence. From the injury report of PMCH it appears that injured has not suffered any fire arm injury. Chargesheet has already been submitted. Petitioner has got no criminal antecedent and is in custody since 08.09.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Sahpur Patori (Mohanpur O.P) P.S. Case No. 203 of 2020** with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) 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 his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

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

(S. Kumar, J)

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