

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46494 of 2021

Arising Out of PS. Case No.-22 Year-2020 Thana- KANHauli District- Sitamarhi

Shivnandan Baitha S/o Raktu Baitha R/o village- Ramnagra, P.S.- Kanhauli,
District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ayush Kumar

For the Opposite Party/s : Mr.Umeshanand Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 04-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Kanhauli P.S. Case No. 22 of 2020, registered for the offence under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, this petitioner is alleged to have abused and tied the hands of informant in a bamboo and thereafter, shot him, as a result of which, he fell down. It is alleged that due to some money dispute, the alleged occurrence took place.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case and there is no injury report on record, which clearly shows that the entire case is false and fabricated. Learned counsel for the petitioner refers to



paragraph - 37 of the case diary wherein there is reference of discharge letter dated 9.3.2021, in which, the doctor has written that the patient absconded before examination of injury. Petitioner is in custody since 28.01.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Sitamarhi in connection with Kanhauli P.S. Case No. 22 of 2020.

(Prabhat Kumar Singh, J)

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