

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56410 of 2021

Arising Out of PS. Case No.-90 Year-2021 Thana- SALAKHUA District- Saharsa

Abadh Singh Son Of Jay Ram Singh R/O Village- Bind Toli O.P. Chiraiya,
P.S.- Salkhua, District- Saharsa

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sunil Kumar

For the Opposite Party/s : Mr. Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 23-02-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with Salkhua
P. S. Case No.90 of 2021, instituted for the offences under
Sections 147, 148, 149, 341, 323, 307, 354(A), 379, 385, 504
and 506 of the Indian Penal Code and Section 27 of the Arms
Act.

The learned counsel for the petitioner submits that the
petitioner is in custody since 24.05.2021, he is a person with
clean antecedent and charge-sheet has been submitted in this
case.

The learned counsel for the petitioner further submits
that the informant alleges that the petitioner along with accused
persons were demanding extortion of Rs. Five Lacs. It is further



alleged that petitioner fired hitting the husband of the informant on his chest and even looted valuables.

The learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case and as far as allegation of firing is concerned, the medical report records that the injury may be caused by firearm which amply demonstrates that even the doctor was not sure whether the injury was caused by firearm or not and further the injury is said to be simple in nature.

The learned counsel for the petitioner further submits that the husband of the informant was dealing in liquor and the same was being opposed by the petitioner and the family members and as such, petitioner came to be implicated with false allegation and that perhaps explained that while the doctor was not sure whether the injury was caused by firearm or not.

Learned A.P.P. opposes the bail application.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in this case and the injury is simple in nature and the doctors have not definitely concluded that it was an injury caused by firearm, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.



5,000/- (Rupees Five Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-IV, Saharsa in connection with Salkhua P. S. Case No.90 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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