

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69093 of 2021

Arising Out of PS. Case No.-166 Year-2020 Thana- NAGAR District- Vaishali

SANNI KUMAR Son of Shyam Babu Choudhry Resident of Village - Bagh
Musa, Ward No.- 4, P.S.- Hajipur Town, District - Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. A.G

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-11-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of
four weeks from today.

The petitioner seeks bail in connection with Hajipur Town
P.S. Case No. 166 of 2020 registered for the offence under Sections
307 and 34 of the Indian Penal Code and under Section 27 of the
Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 31.08.2021.

The allegation against the petitioner is to cause fire arm
injury to informant/injured having intention to cause his death due to
disputes arises over installing temporary shop.

Learned counsel appearing on behalf of the petitioner
submitted that the accused petitioner cannot be said under intention



to cause death of the informant/injured for the reason that the alleged firing was on non-vital part of the body. It is submitted that without intervening circumstances no repeated firing was made. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer of bail.

Considering the facts and circumstances as mentioned above and by taking note of acquisition, where petitioner is in custody since 31.08.2021 coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Hajipur Town P.S. Case No. 166 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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