

Arising Out of PS. Case No.-236 Year-2023 Thana- ARIYARI District- Sheikhpara

... .. Petitioner/s

Versus

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheo Jee Mishra, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 17-02-2024 1. Heard learned counsel appearing on behalf of the
petitioner and learned Additional Public Prosecutor appearing
on behalf of the State.

2. The accused/petitioner is named in F.I.R. and apprehending his arrest in connection with Ariyari (Mahuli) P.S. Case No. 236/2023 registered for the offences punishable under Sections 307, 504, 506/34 of the Indian Penal Code and 27 of the Arms Act.

3. The allegation against this petitioner is to open fire upon brother of informant alongwith other co-accused persons/ family members, having intention to cause his death.

4. Learned counsel appearing on behalf of the petitioner submitted that the specific allegation of firing is available against main co-accused Sunil Kumar, where no overt act available against petitioner during the occurrence. It is



submitted that implication of petitioner appears only being father of main co-accused Sunil Kumar. While concluding the argument, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing for the State opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances as implication of petitioner appears only, being father of main co-accused Sunil Kumar, who opened fire upon brother of informant, coupled with the fact that petitioner is a man of clean antecedent, accordingly, the above named petitioner, in the event of his arrest or surrender within a period of four weeks, is directed to be released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, 1st Sheikhpura/concerned Court, where the case is pending in connection with Ariyari P.S. Case No. 236 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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