

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38018 of 2018

Arising Out of PS.Case No. -23 Year- 2018 Thana -RAMKRISHNANAGAR District- PATNA

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Uttam Kumar, S/o Sunil Kumar, R/o Mohalla Shivnagar, Road No. 1,
Khemnichak, P.S. Ram Krishna Nagar, Distt.- Patna (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

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.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiw Kumar Prabhakar

For the Opposite Party/s : Mr. Sri Madhuranand Jha

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 05-07-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
01.02.2018 in connection with Ram Krishna Nagar P.S. Case
No. 23 of 2018 for offences punishable under Sections 302/34
of the Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while his brother Jagnandan Kumar was along with his
friends during Saraswati Puja, the petitioner along with eight



others came variously armed with firearm and fired in the air. Specific allegation is upon Sandeep, Pradeep and Indrajeet as well as Ravi Kumar to have given firearm injury on the informant's brother who while being taken to the hospital was declared dead.

It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that there is no allegation of causing any firearm injury and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Chief Judicial Magistrate, Patna in connection with Ram Krishna Nagar P.S. Case No. 23 of 2018, subject to the condition that one of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file



an affidavit stating his relationship with the petitioner.

(Nilu Agrawal, J)

Devendra/-

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