

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2314 of 2019

Arising Out of PS. Case No.-252 Year-2018 Thana- BEGUSARAI TOWN District- Begusarai

Subham Kumar, aged about 22 (M), Son of Shri Manoj Singh Choudhary, Resident of village-Deori, Police Station-Khagaria. Presently residing in Sarvoday Nagar, P.S.-Begusarai Town P.S in the District of Begusarai.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Akhileshwar Prasad Singh, Sr. Advocate and Mr. Prabhu Narayan Sharma, Advocate.
For the State	:	Mr. Bharat Lal, A.P.P.
For the Informant	:	Mr. Pushpendra Narayan and Mr. Shree Niwas Singh, Advocates.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

4 09-04-2019 Learned senior counsel for the petitioner is permitted to make necessary correction in paragraph no. 3 of the bail petition, in course of the day.

Heard learned senior counsel for the petitioner, learned counsel for the informant and learned A.P.P. for the State.

The petitioner is languishing in custody since 11.05.2018 in a case for the offence registered under Sections 341, 323, 386, 307, 506/34 of the IPC and 27 of the Arms Act.

The prosecution story, in brief, is that on 28.04.2018 in the night around 8.00 O'clock, petitioner alongwith co-accused Nandan Singh came at *Betal Shop* of informant and



threatened the informant for his life as he has not paid *Rangdari* of Rs. 50/- as they have demanded to run *Betel Shop* and began gave threatening showing their firearm to pay *Rangdari* by tomorrow otherwise to face consequences of life. On 29.04.2018, in the evening at 5.00 O'clock, petitioner alongwith associates co-accused Nandan Singh and two unknown persons riding in two motorcycle, came at the *Betel Shop* of informant and asked why he is running *Betel Shop* without paying *Rangdari* and then on the order of co-accused Nandan Singh, petitioner open fire shot due to which, informant has sustained bullet injury on his chest and thereafter all the culprits fled away from there. Injured informant was brought at *Alexia Hopsital* for treatment at where he was going under treatment subsequently lodged this case on 03.05.2018.

It has been submitted by learned senior counsel for the petitioner that the petitioner has falsely been implicated in the present case. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. There is no substantive evidence to suggest the implication of the petitioner in the present case. It is further submitted that the petitioner may be released on bail after completion of one year in custody.



On behalf of the learned counsels for the State and the informant, it has been submitted that the petitioner is named in the F.I.R. There is specific allegation against the petitioner for causing firearms injury upon the informant. Injury report also supports the allegation made in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail after completion of one year in custody on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned J.M. Ist Class, Begusarai in connection with Begusarai Town P.S. Case No. 252 of 2018, G.R. No. 1655 of 2018.

(Sudhir Singh, J)

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