

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26015 of 2020

Arising Out of PS. Case No.-445 Year-2019 Thana- LALGANJ District- Vaishali

CHANDAN KUMAR @ CHANDAN RAI Son of Sri Naval Kishor Rai @
Naval Ray Resident of Village - Sarariya, P.S.- Lalganj, District - Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Bela Singh

For the Opposite Party/s : Mr. Ram Sewak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 12-10-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 307/34 of the Indian Penal Code and 27
of the Arms Act.

The prosecution case in short is that while the
informant was in the market place, the accused persons,



variously armed, came and started firing at him then he started fleeing away. One person started raising hulla then the accused persons also fired at him due to which he sustained bullet injury.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 6.1.2020. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The main allegation of firing is against co-accused namely Rakesh Rai. Though, the petitioner is said to have fired in course of the occurrence but he has not caused injury to any one. Hence, no offence under section 307 IPC is made out.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. -XIV, Vaishali in connection with Lalganj P.S. Case No. 445/19, G.R. No. 6955/19.

Pankaj/-

(Sudhir Singh, J)

U		T	
---	--	---	--

