

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29805 of 2020

Arising Out of PS. Case No.-294 Year-2019 Thana- NAUBATPUR District- Patna

1. Kamlesh Kumar, S/o Masudan Paswan, Gender-Male, aged about 32 years, Resident of Village- Karariya Dariyapur, P.S.- Naubatpur, District- Patna.
2. Ram Bilash Kumar, S/o Radheyshyam Paswan, Gender-Male, aged about 28 years, Resident of Village- Karariya Dariyapur, P.S.- Naubatpur, District- Patna.

... .. Petitioners

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioners : Mr.Mithilesh Kumar Upadhyay, Advocate.
For the Opposite Party : Mrs. Rita Verma, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 13-11-2020 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 petitioners is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

A supplementary affidavit has been filed on behalf of the petitioners. Let it be kept on the record.

Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek bail in a case for the offence



registered under Sections 341, 324, 326, 307/34 of the I.P.C. and 27 of the Arms Act.

The prosecution story, in brief, is that on 02.05.2019, petitioners being the co-villagers of the informant, called him through Mobile and took him near a Temple. Thereafter Ram Bilash Kumar (petitioner no. 2) gave a *Katta* to Kamlesh Kumar (petitioner no. 1), who fired upon the informant, as a result of which, he sustained injury on his thigh. The informant was admitted to P.H.C.H., Patna.

It has been submitted by learned counsel for the petitioners that the petitioners are languishing in custody since 25.11.2019. The petitioners have got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioners. The petitioners have falsely been implicated in the present case. Nature of injury enclosed to the supplementary affidavit shows that the nature of injury is simple. No offence under Section 307 of the I.P.C. is made out in the present case.

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

Considering the facts and circumstances of the case the petitioners above named, are directed to be released on bail



on furnishing bail bonds of Rs. 10,000/-(Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-II, Danapur, in connection with Naubatpur P.S. Case No. 294 of 2019.

(Sudhir Singh, J)

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