

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17374 of 2021

Arising Out of PS. Case No.-285 Year-2020 Thana- BUDDHACOLONY District- Patna

PRASHANT PRATAP @ PRASHANT KUMAR Son of Ramjee Rai @
Ramji Prasad Rai Resident of South Mandiri, P.S.- Budha Colony, District-
Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Choudhary

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-07-2021 This matter is taken up for consideration through
Video Conferencing under the orders of Hon'ble the Chief
Justice.

Heard both parties.

The petitioner seeks bail in Budha Colony P.S. Case
No. 285 of 2020, registered for the offence punishable under
Sections 307, 504 and other allied sections of the Indian Penal
Code and section 27 of the Arms Act.

As per the prosecution case, while the informant was
sitting at the door of Ward Parshad Neeta Rai, co-accused Uday
Rai entered into an altercation with him and immediately
thereafter, this petitioner along with other accused persons
armed with pistol came and made indiscriminate firing upon the



informant and others. Further alleged that co-accused Ajay Rai fired upon the informant which hit him at his back and co-accused Harsh Raj fired upon Golu Kumar which hit him in the leg. In this process one Ajay Kumar also received bullet injury on his arm. Seven empty bullets along with two pellets were recovered from the place of occurrence.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. There is general and omnibus allegation of firing against this petitioner and specific allegation of causing firearm injury is against co-accused Ajay Rai and co-accused Harsh Raj. Petitioner is in custody since 13.11.2020 having clean antecedent, as stated in para 3 of the petition. Investigation is complete.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 the learned Additional Chief Judicial Magistrate II, Patna in connection with Budha Colony P.S. Case No. 285 of 2020, subject to following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the



court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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