

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21188 of 2021

Arising Out of PS. Case No.-262 Year-2019 Thana- SALIMPUR District- Patna

Prince Kumar aged about 25 years, S/O Nageshwar Roy R/O Village-Gayaspur Mahajee, P.S-Salimpur, District-Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey, Advocate
For the State : Mr.Mukeshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

4 30-11-2021 Petitioner who is in custody since 16.11.2020 seeks bail in connection with Salimpur P.S. Case No. 262 of 2019 for the offence punishable under sections 341, 323, 447, 326, 307,379, 504, 506/34 of the Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution is that on 15.12.2019 at about 7.45A.M. the informant was at the door of his house alongwith his brother, mother and father, in the meantime, his villagers Prince Kumar, Munna Kumar, Vikky Kumar and Nageshwar Rai arrived there and started abusing them and upon protest, Nageshwar Rai ordered to fire and Prince Kumar opened fire by his pistol, which caused injury at the right arm of Pawan Rai. Thereafter, other co-accused persons assaulted his father and mother and Vikky Kumar & Nageshwar Rai snatched



Mangalsutra from the neck of his mother.

Learned counsel appearing on behalf of the petitioner submits that from perusal of impugned order, it appears that injuries sustained by the victim is simple in nature. The said injury report has been issued by PMCH, Patna. He further submits that nothing incriminating articles has been recovered from the conscious possession of the petitioner and there is long standing land dispute between the parties taking into consideration the nature of injuries sustained is not on the vital part of the victim and some of the similarly situated co-accused has already been released on bail.

Learned counsel appearing on behalf of the State, however, vehemently opposes the prayer for grant of bail to the petitioner.

Considering the rival submissions of the parties, the material on record as well as the nature of injury as has been recorded in the impugned order is simple in nature and also the fact that petitioner is in custody since 16.11.2020, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Twenty five thousand) with two sureties of the like amount each to the satisfaction of learned J.M. (Sri K.P. Arya),Barh, Patna, in connection with Salimpur P.S. Case



No. 262 of 2019 subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) 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.

(Purnendu Singh, J)

Ravi/-

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

