

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38348 of 2021**

Arising Out of PS. Case No.-37 Year-2021 Thana- PATNA GRP CASE District- Patna

CHHOTU KUMAR S/O MAHESH MAHTO R/O MOHALLA-RANIPUR
KALI ASTHAN, P.S.-MEHANDIGANJ, DISTRICT-PATNA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rudra Deo

For the Opposite Party/s : Mr. Awadhesh Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 02-11-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 307/386 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, petitioner is alleged to have demanded Rangdari of Rs. 5000/- and on refusal he fired causing gun shot injury in the hand and thigh of informant.

Learned counsel appearing for the petitioner submits that petitioner is innocent and has falsely been implicated in the case due to village politics. There is no eye witness of the occurrence and injuries found on the person of informant are simple in nature.

Learned counsel appearing for the State opposes the prayer for bail and submits that there is direct and specific



allegation against this petitioner that he demanded Rangdari and on refusal he fired causing injury in the hand and thigh of the informant.

Considering the nature of accusation and gravity of the offence, I am not inclined to enlarge the petitioner on bail. Accordingly, the same is rejected.

However, once charge is framed and trial commences, the petitioner, shall be released on bail by the trial court to its own satisfaction on the condition that the petitioner will co-operate in the trial.

(Prabhat Kumar Singh, J)

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