

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32498 of 2020

Arising Out of PS. Case No.-206 Year-2019 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Shyam Babu @ Shyam Babu Prasad @ Shyam Prasad, aged about 30 years,
male, Son of Ambika Prasad @ Ambika Singh, Resident of Village -
Pachpakaria Padumpatti, Kala Dumara, P.S. - G.B.Nagar, Distt. - Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aayush Kumar, Adv.

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

3 17-03-2021 Heard Mr. Aayush Kumar, learned Advocate for the

petitioner and Mr. Umanath Mishra, learned APP for the

State.

The petitioner seeks bail in anticipation of his
arrest in connection with G.B. Nagar P.S. Case No. 206 of
2019, dated 04.08.2019, instituted for the offences under
Sections 324, 307 and 34 of the Indian Penal Code and



Section 27 of the Arms Act.

The informant has alleged that while he was coming back home, three persons including the petitioner ambushed him and one of the accused persons, viz., Surendra Prasad fired from his weapon, leading to gunshot injury in his neck.

The motorcycle is alleged to have been driven by the petitioner.

The learned counsel for the petitioner has submitted that from the perusal of the F.I.R. itself, it would appear that there is an enmity between the parties which had developed post-elections. Apart from this, it has been submitted that the petitioner is not alleged to have committed any overt act. Additionally, it has been argued that the informant/victim has not received any gunshot injury; rather he has received simple injuries, opined to have been caused by hard and blunt substance.

Considering the facts afore-stated and taking into account the clean antecedent of the petitioner, he, in the event of his arrest or surrender before the learned Court



below within a period of eight weeks, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan in connection with G.B. Nagar P.S. Case No. 206 of 2019, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

(Ashutosh Kumar, J)

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