

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37133 of 2020

Arising Out of PS. Case No.-119 Year-2020 Thana- NOWKOTHI GARHPURA District-
Begusarai

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KANHAIYA KUMAR Son of Samir Singh Resident of Village- Dakarpur
(West), P.S.- Nawkothi, Distt- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bipin Kumar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 02-02-2021 Learned counsel for the petitioner is directed to

remove the defects, as pointed out by the Office, within a period

of four weeks.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks bail in a case instituted for the

offences under Sections 447, 342, 323, 307, 504, 506/34 of the

Indian Penal Code and 27 of the Arms Act.

The prosecution case in short is that the accused

persons, variously armed, abused and fired at the informant

which although did not hit him.

It has been submitted on behalf of the petitioner that

the petitioner is in custody since 4.8.2020 and has got no



criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. As per the allegation, the petitioner is said to have fired in course of occurrence. The same did not hit any one. There is no injury caused by the petitioner. Hence, no offence under Section 307 IPC is made out.

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

Considering the aforesaid facts and circumstances, it is directed that the petitioner, above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai in connection with Nawkothe P.S. Case No. 129 of 2020.

(Sudhir Singh, J)

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