

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.677 of 2021

Arising Out of PS. Case No.-250 Year-2019 Thana- DELHA District- Gaya

VICKY KUMAR Son of Raj Kumar Paswan Resident of Mohalla-
Bageshwari Gumti, Devi Asthan, Pagli Sanjay ki Gali, P.S.- Delha, Distt-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash

For the Opposite Party/s : Mrs. Veena Kumari Jaiswal

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

5 30-06-2021 Heard Mr. Shyamal Prakash, learned counsel for the

petitioner and Mrs. Veena Kumari Jaiswal, learned counsel

appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Delha
P.S. Case No. 250 of 2019 registered for the offence under
Section 307 of the I.P.C. and Section 27 of the Arms Act.

The allegation as per the First Information Report is
that petitioner fired upon the informant and the bullet after
hitting informant's lower lip entered into his mouth.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case and he has not
committed any offence in the manner alleged. Learned counsel
next submits that occurrence has allegedly taken place on



02.09.2019 at about 8.30 P.M. and the fardbyan of the informant was recorded just after about 02 hours by the Police which appears to be doubtful inasmuch as if the bullet had entered into the mouth of the informant, he would not have been in a position to speak and get his fardbyan recorded. Learned counsel referring to the impugned order submits that injury report has not been produced despite the order of the court below.

On the other hand, learned counsel for the State referring to the case diary submits that injuries caused to the informant have not been forwarded by the P.M.C.H. as yet. However, from perusal of the report of Magadh Medical College and Hospital, Gaya it only appears that injury was caused due to fire arm. Learned counsel further submits that situs of the injury has not been mentioned in the report of Magadh Medical College and Hospital, Gaya.

Having heard learned counsel for the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 14/09/2020 and injury report has not been brought on record by the prosecution, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bond of Rs. 20,000/-
(twenty thousand) with two sureties of the like amount each to
the satisfaction of Smt. Swati Singh, Judicial Magistrate - 1st
Class, Gaya / concerned court in connection with Delha P.S.
Case No. 250 of 2019.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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