

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40426 of 2020

Arising Out of PS. Case No.-119 Year-2020 Thana- GORIAKOTHI District- Siwan

ANAND KUMAR Son of Sunil Kumar Prasad Resident of Village- Dhanaua,
Semra Tola, Basantpur, P.S.- Goriyakothi, Distt- Siwan

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yashraj Bardhan

For the Opposite Party/s : Mr. Manoj Kumar

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

3 12-03-2021 Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner seeks regular bail in connection with
Goriyakothi Police Station Case No. 119 of 2020, registered for
the offence punishable under Sections 341/323/307/504/34 of
the Indian Penal Code and Section 27 of the Arms Act.

The allegation, as per the First Information Report, is
that while the informant, along with his villager, Ranjeet Kumar,
was coming from his field and reached near Baghaut Baba
place, five persons, riding on two motorcycles arrived there and
the persons riding on the first motorcycle, touched the body of
the informant and upon protest, one of the accused persons
opened fire upon the informant, due to which he sustained gun-
shot injury in his left leg. It has further been alleged that all the



persons, except the petitioner, succeeded in fleeing away and the petitioner was apprehended at the spot and the informant further alleged that co-accused Simant Kumar Singh has fired upon the informant.

Learned Counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case inasmuch as from perusal of the First Information Report, it would be evident that co-accused Simant Kumar Singh, due to some altercation, had fired upon the informant and no overt act has been alleged against this petitioner. He further submits that the petitioner is in custody since 31.07.2020, having no criminal antecedent.

Having heard learned Counsel for the parties and taking into consideration the materials on record and the nature of allegation and the fact that allegation of firing is against co-accused Simant Kumar Singh and the petitioner is in custody since 31.07.2020, having no criminal antecedent, I am inclined to grant regular bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of



learned 10th Additional Chief Judicial Magistrate, Siwan, in connection with Goriyakothi Police Station Case No. 119 of 2020.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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