

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12318 of 2021**

Arising Out of PS. Case No.-19 Year-2020 Thana- BASANHI District- Saharsa

RAJ KAMAL SINGH @ BHOLU SON OF ASHISH KUMAR SINGH
RESIDENT OF VILLAGE - MANGAWAR, P.S.- BASNAHI, DISTRICT -
SAHARSA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Mishra

For the Opposite Party/s : Mr.A.P.P.

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

2 29-06-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in a case registered for the offence punishable under section 307/34 of the Indian Penal Code and section 27 of the Arms Act.

As per prosecution case, on 07.03.2020 at 7.40 am while brother of the informant- Sanjay Kumar Singh was going Madhepura on motorcycle and when he reached at the house of Ashish Kumar, petitioner is alleged to have fired from pistol at his brother which hit him on the back of his brother causing firearm injury. Reason behind this occurrence is that in the past, this petitioner had threatened the deceased with dire consequences because of altercation which took place on 02.03.2020 between the petitioner and deceased.



It is submitted on behalf of the petitioner that petitioner has been falsely implicated in this case due to village politics and there is no allegation of repetition and injury has been found simple in nature by doctor and was on non-vital part of the body. Petitioner is in custody since 19.03.2020. Other accused has been granted bail by this court. Investigation is complete.

Considering the clean antecedent of the petitioner and his period of custody, this bail application is allowed. Let the petitioner 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 the Chief Judicial Magistrate, Saharsa in Basnahi P.S. Case no. 19/2020 on the following conditions.

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be canceled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

s.hassan/-

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