

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1689 of 2022

Arising Out of PS. Case No.-172 Year-2021 Thana- SHAMBHUGANJ District- Banka

Ravi Singh S/o- Arvind Singh Resident of Village - Dharampur, P.S. -
Shambhuganj, Dist.- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vibhakar Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

7 15-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be
removed within a period of four weeks.

In the present case, the petitioner seeks bail in
connection with Shambhuganj P.S. Case No. 172 of 2021
registered for the alleged offences under Sections 450, 341, 323,
324, 307, 504, 506 and 34 of the Indian Penal Code and under
Section 27 of the Arms Act.

As per prosecution case, in the background of earlier
dispute over withdrawal of some pending case, the petitioner
and other co-accused persons came to the house of the
informant and opened fire. The petitioner fired from his pistol
and the shot hit him on his left chest.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case. There is no fire arm injury on any part of the body of the petitioner and for this reason no offence under Section 27 of the Arms Act is made out apart from the other offences. Learned counsel further submits that the investigation is complete and charge sheet has been submitted in this case. The petitioner is in custody since 29.07.2021.

Learned APP for the State vehemently opposes the submission made on behalf of the petitioner. Learned APP for the State further submits that there is specific allegation against this petitioner that he opened fire on the informant and injury report shows circular wound has been found on left side of his scapula apart from burns of singeing. The report also shows it has been caused by gunshot injury.

Perused the records.

Having regard to the facts and circumstances and submission made on behalf of the parties and considering the nature of injury which does not appear to be fatal and also considering the period of custody of this petitioner along with submission of charge sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond

of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Banka in connection with Shambhuganj P.S. Case No. 172 of 2021, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and also the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

daya/-

U		T	
---	--	---	--