

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9316 of 2022

Arising Out of PS. Case No.-221 Year-2021 Thana- ARA NAGAR District- Bhojpur

Kallu Paswan @ Vishal Kumar S/O Late Dudul Paswan R/o village- Bahiro,
P.S.- Ara Nawada, District- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta, Advocate
For the Opposite Party/s : Mr. Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 14-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), if any, 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 Ara Town P.S. Case No. 221 of 2021 registered
for the alleged offences under Sections 326, 307, 506, 34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, due to quarrel with the son of
the informant, the petitioner along with co-accused persons
came to the shop of the informant and they fired upon the
informant. The shot hit in the left leg of the informant. The
miscreants further fired thrice and fled away on motorcycle. The
informant became unconscious.



The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner. There is no specific allegation against the petitioner and it is not clear whose shot hit the informant. The petitioner has been dragged in this case only due to previous enmity with the informant. The petitioner is in custody since 05.07.2021 and charge-sheet has been submitted in this case.

Learned APP for the State opposes the prayer for bail submitting that there is specific allegation against this petitioner that he drew out a small weapon from his waist and along with two other persons fired upon the informant.

Perused the record.

Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there appears general and omnibus allegation against the petitioner and further considering the submission of charge-sheet along with the period of custody of the petitioner, he 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 Chief Judicial Magistrate,



Bhojpur at Ara, in connection with Ara Town P.S. Case No. 221
of 2021, subject to the conditions mentioned in Section 437(3)
of the Cr.P.C. and 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)

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