

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12764 of 2022

Arising Out of PS. Case No.-120 Year-2021 Thana- CHIKSAUR District- Nalanda

JITENDRA PRASAD @ MANGAL PRASAD @ JITENDRA KUMAR S/o
Kapildev Prasad R/o Village- Shah Bagicha, P.S.- Chiksaura, District-
Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajendra Narayan, Sr. Advocate
	:	Mr.Mritunjay Kumar Nirala, Advocate
For the Opposite Party/s	:	Mr.Navin Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 27-04-2022 Heard learned senior counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 323, 341, 307, 504 and 506 of the Indian Penal Code read with Section 27 of the Arms Act.

Learned senior counsel for the petitioner submits that the petitioner is in custody since 18.11.2021, charge-sheet has been submitted in the case and has antecedent of two cases.

Learned senior counsel for the petitioner submits that the informant alleges that the accused persons, including the petitioner, surrounded the son of the informant and Raj Ballam Prasad ordered to kill his son on the ground that the informant



was constructing a temple, thereafter it is alleged that the petitioner fired hitting the son of the informant on his left leg.

Learned senior counsel for the petitioner submits that the petitioner has been falsely implicated in the present case out of jealousy because he is working as an MTS (government servant), it is submitted that it absolutely does not stand to reason that as to why a government servant would risk his service by indulging in an act which is unbecoming of a disciplined force. It is further submitted that as far as antecedents of the petitioner are concerned, the same are of a period when the petitioner was not in service and before joining the service, the petitioner had disclosed the said antecedents but still he was given appointment, as such it is submitted that after seeking appointment, the petitioner would definitely not indulge in any act which would prejudice his service. It is lastly submitted that even presuming what has been alleged is true, without accepting the same for the purposes of bail, the allegation of firing is on a non-vital part of the body.

Learned A.P.P. for the State opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody since 18.11.2021, charge-sheet has been submitted in the case



and taking into consideration the submissions advanced by the learned counsel for the petitioner, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Chiksaura P.S. Case No. 120 of 2021.

(Satyavrat Verma, J)

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