

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33736 of 2021

Arising Out of PS. Case No.-598 Year-2020 Thana- CHAPRA TOWN District- Saran

MUKESH KUMAR @ MUKESH KUMAR RAI S/o Late Kopil Rai Resident
of Village- Chhota Telpa, Police Line, P.S.- Chapra Town, District- Saran at
Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Adv.

For the Opposite Party/s : APP

For the Informant : Mr. Chandra Mohan Jha, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 07-03-2022 Heard Mr. Rajeev Kumar, learned counsel for the
petitioner, learned Additional Public Prosecutor for the State and
Mr. Chandra Mohan Jha, learned counsel appearing for
informant.

Petitioner seeks regular bail in connection with
Chapra Town PS Case No. 598/2020 registered for the offence
punishable under Sections 341, 323, 324, 307, 504/34 of the
IPC.

As per First Information Report, the petitioner
allegedly, fired upon the informant due to which he sustained
bullet injury on his back.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to land
dispute and both the parties are co-sharers. He further submits



that there is a case and counter case inasmuch as Chapra Town PS Case No. 588/2020 has been lodged against the informant and other in which the petitioner has sustained injury and the FIR lodged by the petitioner is prior in time. Learned counsel next submits that during course of investigation, no injury report has been collected by the police from the hospital and according to the petitioner the informant has not sustained any fire arm injury and he has falsely been implicated in this case on the basis of concocted story.

On the other hand, learned counsel appearing for the informant and State opposed the prayer for bail of the petitioner and submit that petitioner was admitted in the private hospital and injury report issued by the private hospital is there in which the doctor of private hospital has opined that the informant has sustained grievous bullet injury.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that the police has not procured any injury report from the government hospital uptil now and the injury report of the private hospital has also not been taken into consideration during course of investigation, the petitioner is in custody since 22.01.2021 and there is case and counter case between both the



parties, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, MUKESH KUMAR @
MUKESH KUMAR RAI 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, Saran at Chapra in connection with Chapra Town PS
Case No. 598/2020.

(Anil Kumar Sinha, J)

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