

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23733 of 2022

Arising Out of PS. Case No.-240 Year-2021 Thana- GARDANIBAG District- Patna

=====

Kunal Kumar @ Rishu S/O Madan Paswan @ Madan Mohan Kumar, R/o
Mohalla- Ambedkar Chowk, Chitkohra, P.S.- Gardanibagh, District- Patna
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Sr. Advocate
		Ms. Vaishnavi Singh, Advocate
For the State	:	Mr. Aditya Narayan Singh-I, APP.
For the Informant	:	Mr. Shailesh Kumar, Advocate

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

4 17-09-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Gardanibagh P.S. Case No. 240 of 2021 under Sections 341, 506
and 307/34 of Indian Penal Code read with Section 27 of the
Arms Act.

As per the prosecution, the allegation of firing is upon
the present petitioner on the chest of the informant. Informant
become injured and admitted in the hospital.

Learned counsel for the petitioner submits that it is a
case of section 307 of I.P.C. and not of section 302 of I.P.C.. He
further submits that antecedent of the petitioner is clean and he
is in custody since 27.07.2021. He further submits that progress

report and case diary has been called for in this case, as per progress report cognizance has been taken and case is pending for commitment.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that there is a direct allegation against the petitioner and he has shown his apprehension that once the petitioner shall be released, he shall create hindrance in adducing evidence.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of the case and the submissions made above, I am not inclined to grant bail to the petitioner at present but hereby granting liberty to the petitioner that he may renew his prayer for bail after three months from framing of charge. Trial Court is directed that upon move, bail shall be granted to the petitioner imposing its own conditions, so that he will not evade his appearance during trial.

With this observation, the bail application stands rejected.

(Dr. Anshuman, J.)

ravishankar/-

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