

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32876 of 2022

Arising Out of PS. Case No.-62 Year-2021 Thana- VIDYAPATINAGAR District- Samastipur

Raja Kumar Son of Roshan Sah @ Raushan Sah Resident Of Village -
Bazidpur, P.S.- Vidyapati Nagar, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lakshmindra Kumar Yadav
For the Opposite Party/s : Mr. Nagendra Prasad

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

3 12-12-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

The petitioner seeks bail in connection with Vidyapati
Nagar P.S. Case No. 62 of 2021 registered for the offence under
Sections 147, 148, 149, 341, 323, 307, 379, 354, 504, 506 of the
I.P.C. and under Section 27 of the Arms Act.

The accused/petitioner is named in the F.I.R. and is in
custody since 29.03.2022.

The allegation against the petitioner is to fire upon the
head of the husband of informant causing firearm injuries,



alongwith co-accused persons, where occurrence took place due to land dispute.

Learned counsel appearing on behalf of the petitioner submitted that occurrence is nothing but a free fight, where both parties received injuries. It is further submitted that for the same set of occurrence the petitioner also lodged a case, which has been registered as Vidyapati Nagar P.S. Case No. 64 of 2021. It is also submitted that there is no allegation of repeated firing, without having any intervening circumstances. While concluding the argument, it has been submitted that investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as occurrence is a free fight, where petitioner is in custody since 29.03.2022, coupled with the fact that charge-sheet has been submitted, let the petitioner, above named, is directed to be released on bail in connection with Vidyapati Nagar P.S. Case No. 62 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court of A.C.J.M.-III,



Dalsinghsarai, District- Samastipur/concerned Court, subject to
the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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