

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36690 of 2022**

Arising Out of PS. Case No.-124 Year-2020 Thana- BELDOUR District- Khagaria

RANJEET KUMAR Son of Umesh Singh Resident of village- Telihar, P.S.-
Beldaur, District- Khagaria. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 26-09-2022 Heard learned counsel for the petitioner and learned
counsel for the State.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Beldaur P.S. Case No. 124 of 2020 for the offences under
Sections 147, 148, 341, 307, 504 and 506 of the Indian Penal
Code and Section 27 of the Arms Act.

As per the prosecution story, the informant alleged
that the accused persons variously armed started assaulted them
and on the order of Maheshwar Singh, it is alleged that this
petitioner opened fire causing injury to Suvindra Kumar Suman
in his legs and mouth.

Learned counsel for the petitioner submits that there is
case and counter case inasmuch as while the informant lodged
Beldaur P.S. Case No. 124 of 2020, the petitioner family too



lodged Beldaur P.S. Case No. 121 of 2020 in which injuries sustained has also been incorporated. It is his further submission that although allegation is of firing in the legs and mouth, the injury report of Suvindra Kumar Suman (Annexure 2 of the bail application) shows that no injury has been found so far as allegation of fire arm on mouth is concerned.

Mr. Bharat Bhushan, learned APP for the State, on the other hand, submits that the case and counter case between the parties clearly shows that there has been '*maarpeet*' between the parties and on that background, the allegation against the petitioner has to be seen.

Be that as it may, there is case and counter case as stated above, the petitioner is in custody since 20.02.2022, the injuries are on leg and so far as injury on mouth is concerned, the same is not supported by the injury report, the petitioner do not have criminal antecedent, charge sheet stands submitted, this Court is inclined to grant him privilege of bail subject to certain conditions.

However, if it is found that he do have criminal antecedent, the bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of



like amount each to the satisfaction of learned C.J.M., Khagaria in connection with Beldaur P.S. Case No. 124 of 2020, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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