

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37776 of 2022**

Arising Out of PS. Case No.-70 Year-2021 Thana- SULTANGANJ District- Bhagalpur

RAJA KUMAR @ RAJESH KUMAR Son of Late Kailu Mandal Resident of
Village- Kashmabad, P.S.- Sultanganj, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs .Saroj Shandilya

For the Opposite Party/s : Mrs. Sharda Kumari

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-09-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under sections 341, 323, 307, 504 and 506 read with 34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the petitioner and co-accused called the brother of the informant and told him to come to Barua bridge. His brother went there and some dispute occurred thereon, the co-accused and the petitioner fired from



their pistols on the head of the informant's brother and the informant took his brother for treatment to Referral Hospital, Sultanganj from where he was referred to Silugudi.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is no eye witness of the occurrence. There is general and omnibus allegation against the petitioner. Charge-sheet without injury report has been submitted against the petitioner under Sections 341, 323, 307, 504 and 506 read with 34 of the Indian Penal Code and section 27 of the Arms Act. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 30.11.2021.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of detention, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Bhagalpur in connection with Sultanganj P.S.



Case No. 70 of 2021, with a condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the prosecution will be at liberty to move for cancellation of his bail .

The application stands allowed.

(Chandra Prakash Singh, J)

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