

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55067 of 2021**

Arising Out of PS. Case No.-139 Year-2021 Thana- UDWANTNAGAR District- Bhojpur

Shubash Kumar @ Subash Singh S/O Bheem Singh R/O Village-Asani, P.S-
Udwant Nagar In The District Of Bhojpur. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Sunil Kumar, Advocate
For the Opposite Party/s	:	Mr.Raj Kishore Singh, APP
For the Informant	:	Mr. Suraj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 25-04-2022 Heard counsel for the parties.

The petitioner is an accused in connection with Udwant Nagar P.S. Case No. 139 of 2021 registered under Sections 147, 149, 323, 307, 504, 506, 320 and 302 of the Indian Penal Code and 27 of the Arms Act.

The informant in the First Information Report alleges that there was dispute between the parties since 23rd of March, 2021 and on the fateful day, i.e 25.03.2021 in the evening, accused persons including the petitioner herein came variously armed and it is further alleged that one Chunnu Kumar opened fire hitting the leg of his son. The accused persons later fled away from the place of occurrence and the informant took his son to the hospital for his treatment.

Learned counsel for the petitioner submits that entire family members have been implicated. He further submits that although arms are attributed to have been carried by the



petitioner herein, the allegation of firing has been attributed to one Chunnu Kumar which led to injury on the leg of his child. He submits that the petitioner is in judicial custody since 20.6.2021 (as stated in paragraph-12 of the bail application).

Considering the aforesaid facts, 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 Chief Judicial Magistrate, Bhojpur in connection with Udwant Nagar P.S. Case No. 139 of 2021, subject to the following conditions :-

(i) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself.

(ii) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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