

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50727 of 2022

Arising Out of PS. Case No.-379 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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PANDAV KUMAR S/o Kari Paswan Resident of Village- Rajaura, P.S.-
Muffasil, District- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vinod Gautam

For the Opposite Party/s : Mr.Bhanu Pratap Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

2 22-12-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is directed to
remove the defect(s) as pointed out by the office within a period
of four weeks.

The petitioner seeks bail in a case registered under
Section-307, 34 of the Indian Penal Code and Sections-25(i-b)a,
26, 27, 35 of the Arms Act.

Prosecution case in short is that two armed persons
entered the house of the informant and opened fire upon him but
the firing missed and in consequence thereof, the petitioner was
alleged to have been apprehended.

It has been submitted that the petitioner has got no



criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner is in custody since 19-07-2021. Charge sheet has already been submitted in this case. The petitioner is said to have fired during the occurrence but the same did not cause injury to anyone. No offence under Section-307 of the Indian Penal Code is made out. There is recovery of a country-made pistol and live cartridge. There is no compliance of Section-100 of the Cr. P.C.

On behalf of the State, it is submitted that the petitioner is named in the FIR.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Sessions Trial No. 28 of 2022 arising out of Begusarai Muffasil (Lakho) P.S. Case No. 379 of 2021.

(Sudhir Singh, J)

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