

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65628 of 2021**

Arising Out of PS. Case No.-89 Year-2021 Thana- KARAKAT District- Rohtas

Krishna Kumar, S/O Amar Singh R/O Village- Sakala Bazar, P.S.- Karakat,
District- Rohtas At Sasaram

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Ramchandra Singh
For the Opposite Party/s :	Mr. Nagendra Prasad
	Mr. Nagendra Upadhyay
	Mr. Ashwani Kumar Tiwary

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

4 26-04-2022 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 326, 307, 109, 504, 506, 34 of the Indian Penal Code and Section 27 of the Arms Act.

The learned counsel for the petitioner submits that the petitioner is in custody since 27.05.2021, he is a person with clean antecedent and charge-sheet has been submitted in the case.

The learned counsel for the petitioner submits that the informant alleges that the allegation against the petitioner is of firing at Ram Niwas Kumar causing injury on his back on the



orders of Ravi Kumar and Amar Singh and the injured was brought to the hospital and the reason for the occurrence is that the injured was objecting illegal liquor trade by the miscreants.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in the present case. Though it is alleged that the dispute arose on account of liquor trade, but then the petitioner is a person with clean antecedent. It is also submitted that the date of occurrence is 21.05.2021 and the petitioner was admitted in a private hospital on 23.05.2021 at 11.40 P.M. It is thus submitted that if the petitioner was shot at his back and the injury was grievous, then definitely the informant would have rushed the victim to the hospital immediately, but the fact that the deceased was admitted after two days of the occurrence that in itself shows that some manipulation was done in the private hospital.

The learned counsel for the petitioner further draws the attention of the Court to the impugned order to submit that in the case diary, it has come that the firearm injury was on the right side of the hands. The learned counsel thus submits that it appears that the occurrence was committed in the other manner and the petitioner came to be implicated for some ulterior reasons.



The learned counsel for the informant as well as learned A.P.P. for the State opposes the bail application, but are not in a position to meet the submission of the learned counsel for the petitioner that as to why the injured was not admitted in the hospital immediately after the occurrence and also that the injury report does not record that the injured was shot at the back.

Considering the fact that the petitioner is in custody, he is a person with clean antecedent, charge-sheet has been submitted in the case and taking into consideration the submissions made by the learned counsel for the petitioner, the petitioner, above-named, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Karakat P. S. Case No.89 of 2021.

The application stands allowed.

(Satyavrat Verma, J)

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