

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69504 of 2021

Arising Out of PS. Case No.-126 Year-2021 Thana- AAJAM NAGAR District- Katihar

RAVI LAL BISWAS Son of Pathlu Biswas @ Pithalu Biswas @ Pathalu
Viswash Resident of Village- Naya Tola Pasiya, P.S.- Azamnagar, District-
Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimal Kumar, Adv.
For the Opposite Party/s : Mr. Zainul Abedin, APP
For the informant : Mr. Suresh Pd. Sah @ Baranwal, Adv.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-05-2022 Heard Mr. Bimal Kumar, learned counsel for the

petitioner, Mr. Zainul Abedin, Additional Public Prosecutor for
the State along with Mr. Suresh Pd. Sah @ Baranwal, learned
counsel appearing for the informant.

Petitioner seeks regular bail in connection with
Azamnagar PS Case No. 126/2021 registered for the offence
punishable under Sections 341, 323, 307, 120(B), 504, 506/34
of the IPC and Sections 25(1-b)a, 26, 27, 35 of the Arms Act.

As per prosecution case, while the informant was
sitting on his shop, two persons on a motorcycle came there and
one of them fired upon the informant due to which the
informant sustained superficial gun shot injury as the bullet
fired passed after touching the abdomen of the informant.



Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case due to the fact that the co-accused, Sushil Kumar Biswas is having some personal issues with the informant being the son-in-law of the informant and the petitioner is the maternal nephew of the co-accused, Sushil Kumar Biswas. He further submits that the allegation against the petitioner is that the bullet was fired upon the informant at the instance of the petitioner and co-accused, Sushil Kumar Biswas. During course of investigation, no injury report has been attached by the police. From the FIR itself, it would be evident that it has been alleged that the bullet passed after touching the abdomen of the informant. It is next submitted that petitioner is in custody since 22.06.2021 and the charge-sheet has already been submitted.

On the other hand, learned counsel for the informant submitted that the informant was treated by a private doctor and he produced a prescription of the doctor at the time of hearing of this case.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that during course of investigation the injury report issued by the Government hospital has not been brought on



record by the prosecution and only a prescription of the private doctor has been produced by the informant, petitioner is in custody since 22.06.2021 and the charge-sheet has already been submitted, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, RAVI LAL BISWAS 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, Katihar in connection with Azamnagar PS Case No. 126/2021.

(Anil Kumar Sinha, J)

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