

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70127 of 2021

Arising Out of PS. Case No.-700 Year-2020 Thana- KANKARBAG District- Patna

Abhishek Kumar @ Guddu Kumar Son of Raj Kumar Gupta @ Rajusao
Resident of Village - Chandmari Rd, Pani Tanki, P.S.- Kankarbagh, Dist.-
Patna., At Present Shivaji Chowk Ramkrishna Nagar, Near Gas Godown, P.s.-
Ramkrishna Nagar, Dist.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dr. Anand Kumar, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, App

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 16-05-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case registered for the
offences punishable under Sections 448, 326 and 307 of the
Indian Penal Code read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 11.12.2020, charge-sheet has been
submitted in the case and has antecedent of four cases.

Learned counsel for the petitioner submits that
informant alleges that the petitioner entered the house of Bharat
Kumar but was ousted by the inmates of the house, thereafter
the petitioner after being ousted fired which hit the informant on
his leg.



Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner had not entered the house of the informant rather he had gone to meet Bharat Kumar where on account of some altercation, it is alleged that a firing was made which hit the leg of the informant. It is further submitted that even presuming what has been alleged is true, without admitting for the purposes of bail, the firing made is on non-vital part of the body, it is further submitted that there is no injury report on record.

Learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the fact that the petitioner is in custody and charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Kankarbagh P.S. Case No. 700 of 2020 with a condition that one of the bailors of the petitioner shall be his father Rajusao.

Further, if the learned court below comes to a conclusion that the petitioner after his release is trying to delay



the trial in any manner, then the learned court below shall
forthwith cancel the bail bonds of the petitioner after recording
reasons.

(Satyavrat Verma, J)

Gaurav Kumar/-

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