

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71351 of 2021

Arising Out of PS. Case No.-69 Year-2021 Thana- NAUBATPUR District- Patna

RAJ KAMAL KUMAR SON OF NIRBHAY KUMAR TIWARI RESIDENT
OF VILLAGE - PARSA P.S.- NAUBATPUR DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Samrendra Kumar Jha
For the Opposite Party/s :	Mr.Mukeshwar Dayal
	Mr. Nand Kishore Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 08-03-2022 Heard learned counsel for the petitioner, the State and the informant.

Petitioner seeks regular bail in a case registered for the offence punishable under Section 307/34 of the Indian Penal Code and u/s 27 of Arms Act.

As per the prosecution case, on the alleged date and time of occurrence, while the informant was going to Patna and reached near the house of his co-villager, Umesh Singh, two unknown miscreants riding on a motor cycle came there and the pillion rider shot fire upon him as a result he sustained bullet injury and one woman also got fire arm injury. It is further alleged that co-accused, Gautam Kumar, in connivance with this petitioner committed the alleged crime by hatching a conspiracy.

Learned counsel appearing for the petitioner submits that petitioner is not named in the FIR. The name of petitioner has transpired in this case during the course of investigation in the confessional statement of co-accused. Specific allegation of firing is against other co-accused person. It is next submitted that at the time of alleged occurrence this petitioner was in



custody in connection with Naubatpur PS case No. 113/2020. Similarly situated accused Nanda Singh has already been granted bail by this court vide order dated 04.03.2022 passed in Cr. Misc. No. 69262/2021 Petitioner is in custody since 22.03.2021 and investigation in this case is complete.

Learned counsel appearing for the State and the informant opposed the prayer for bail and submitted that petitioner is named in the FIR, he has got criminal antecedent and there is sufficient material against him in the case diary.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, 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 Additional Chief Judicial Magistrate-III, Danapur, Patna in connection with Naubatpur PS case No.69/2021.

(Prabhat Kumar Singh, J)

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