

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71409 of 2021

Arising Out of PS. Case No.-947 Year-2021 Thana- NAWADA District- Nawada

HARE RAM SINGH @ HARE RAM KUMAR @ PRAKASH KUMAR S/o
Late Sharan Singh Resident of Village- Ohari, P.S.- Kadirganj (O.P.) Nagar,
District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikramdeo Singh, Adv.

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 25-05-2022

Heard learned counsel for the parties.

Let the defect(s) be removed within four weeks of the
complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection
with Nawada Nagar P.S. Case No.947/2021 instituted under
Sections 341, 323, 307/34 of the Indian Penal Code and 27 of
the Arms Act.

As per the FIR, the accused persons came to the place
of the informant gritted him and, thereafter, it is alleged that the
petitioner herein opened fire which hit his thigh and resulted
into injury. When his cousin brother Pradeep Kumar tried to
save him, it is alleged that the accused Gopal Singh opened fire
which hit the chest of the said Pradeep Kumar, as a result
whereof he was seriously injured and fell on the ground.



Learned counsel for the petitioner has taken this Court to the Annexure-3 of the bail application, the injury report with regard to the injury that he received in his thigh. The doctor have opined the same to be simple in nature. The counsel for the petitioner further submits that he is jail since 04.09.2021 (as stated in para-6 of the bail application).

Considering the fact that specific allegation of using firearm hitting the chest of Pradeep Kumar, the firearm injury on the thigh of the informant has been opined to be simple in nature and the petitioner is in judicial custody 04.09.2021 and charge-sheet stands submitted, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Nawada Nagar P.S. Case No.947/2021 to the satisfaction of learned Chief Judicial Magistrate, Nawada, subject to following conditions:

- (i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her bona fide;
- (ii) the petitioner shall appear on each and every date



before the Trial court and failure to do so for two consecutive dates without plausible reasons will entail cancellation of his bail by the Trial court itself;

(iii) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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