

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.11994 of 2023**

Arising Out of PS. Case No.-176 Year-2022 Thana- MAHINDWARA District- Sitamarhi

Utkarsh Kumar @ Utkarsh Kumar Singh S/O Late Uma Shankar Singh R/O  
Village- Vishnupur Vasdev, Ward No- 7 @ Vishnupur Vasdev, Ward No- 7,  
P.S- Mahindwara, District- Sitamarhi

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR**  
**ORAL ORDER**

3      21-06-2023                      Heard learned counsel for the petitioner and learned  
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 324, 325, 307, 504, 506/34 of the Indian Penal Code and Sections 25(1-b)a, 26, 27, 35 of the Arms Act.

As per FIR, the allegation against the petitioner and co-accused person is that they assaulted due to altercation, in the meantime, the informant and the petitioner also indiscriminately fired upon the informant and his grand-son. It is further alleged that the petitioner was apprehended by the locals and upon search four pellets and one loaded pistol were recovered from his possession.



Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case due to previous land dispute. The petitioner has no concern with the alleged occurrence and there is no specific allegation of assaulting by means of gun attributed against him. It is further submitted that the petitioner is languishing in judicial custody since 07.10.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Mahindwara P.S. Case No. 176 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate-Ist, Class Sitamarhi.

**(Sunil Kumar Panwar, J)**

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