

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17824 of 2023

Arising Out of PS. Case No.-293 Year-2022 Thana- SALIMPUR District- Patna

1. Raj Kumar Singh @ Tanikan Son Of Late Brahmdeo Singh R/V- Hidayatpur, P.S- Bakhtiyarpur (Salimpur) Dist- Patna
2. Gauri Shankar Kumar Son of Sri Mahesh Singh R/V- Hidayatpur, P.S- Bakhtiyarpur (Salimpur) Dist- patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.Harendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 16-05-2023 Heard learned counsel for the petitioner,

informant and learned A.P.P appearing on behalf of the

State.

The petitioner is languishing in custody in a

case registered for the offences punishable under

Sections 341, 323, 307, 34 of the Indian Penal Code

and Sections 25(1-B) a, 26, 27 of the Arms Act.

It is alleged by the informant that on

12.12.2022 when he was going to his filed, he saw the

scuffles took place between one Ajay and other accused

persons. The accused persons opened fire in the air.



Subsequently a country made pistol was recovered from the dickey of the tractor which was handed over to the police.

It is submitted by learned counsel for the petitioner that petitioner is innocent and he has falsely been implicated in this case. There is general and omnibus allegation against the petitioner and in the background of some land dispute, the scuffle took place. No specific overt act has been alleged against the petitioner. There is no consistent material evidence against the petitioner and only on the basis of suspicion, the petitioner has been roped in the present case. The petitioner is languishing in custody since 13.12.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned counsel appearing on behalf of the informant and learned A.P.P appearing on behalf of the State have vehemently opposed the prayer for bail of the petitioner.



Considering the facts aforesaid and the period under custody, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousands) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Barh, Patna in connection with Salimpur P.S. Case No. 293 of 2022.

(Sunil Kumar Panwar, J)

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