

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14839 of 2023

Arising Out of PS. Case No.-174 Year-2022 Thana- NOORSARAI District- Nalanda

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AJEET KUMAR @ AJIT KUMAR S/O Vijay Yadav R/O Teka Bigha, Ward
No- 12, Lakhanpura, P.S- Bkatiyarpur, District- Patna, Bihar- 803202

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Shama Sinha, Advocate

For the Opposite Party/s : Mr. Shantanu Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 8 17-10-2023 1. Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.
2. The petitioner has preferred this application for
grant of regular bail in connection with Noor Sarai P.S. Case
no.174 of 2022 registered under sections 302, 307 and 120B of
the Indian Penal Code and sections 25(a) and 27 of the Arms
Act.
3. As per the prosecution case, the informant states
that while he was sitting at the terrace of his house along with
his 3 year old child, as a result of celebratory firing resorted to
by the petitioner in a marriage function, the child sustained
gunshot injury and subsequently died.



4. Learned counsel for the petitioner submits that not agreeing with the allegations as levelled in the F.I.R., even as per the contents of the F.I.R., at best, a case under section 304A of the Indian Penal Code would be made out. The petitioner has remained in custody since 24.10.2022 and trial has commenced being pending in the Court of learned Additional Sessions Judge I-cum-Special Judge, Nalanda. The petitioner undertakes to cooperate in the trial.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that it is the petitioner who resorted to firing. So far as what offence will be made out, charge has been framed under section 302 of the Indian Penal Code.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegation in the F.I.R., the petitioner having remained in custody for about a year since 24.10.2022 and Sessions Trial no.283 of 2023 having commenced in the learned trial Court, the Court directs the petitioner to be enlarged on bail in connection with S. Tr. no.283 of 2023 (arising out of Noor Sarai P.S. Case no.174 of 2022) on furnishing bail bond of Rs.10,000/ (Rupees Ten Thousand) with



two sureties of the like amount each to the satisfaction of the
learned Additional Sessions Judge I-cum-Special Judge,
Nalanda.

(Partha Sarthy, J)

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