

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26018 of 2023**

Arising Out of PS. Case No.-617 Year-2022 Thana- GAYA MUFASIL District- Gaya

Arvind Kumar @ Arvind Prasad Yadav Son Of Late Kedar Yadav R/O
Village- Maniyara, P.S.- Muffasil, District- Gaya, At Present Resident Of Sri
Narayan Nagar, P.S.- Muffasil, District- Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Syed Asgher Najmi

For the Opposite Party/s : Mr.Ram Priya Sharan Singh

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

2 13-07-2023 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 147, 148, 149, 341, 323, 307, 504 and 506 of the Indian Penal Code and Section 27 of Arms Act.

Prosecution case in short, is that, the petitioner along with other co-accused persons started assaulting upon the informant and when the informant's brother came to protect him then the co-accused, namely, Satyendra Kumar started firing due to which the informant's brother namely, Rajiv Kumar Ranjan sustained gun shot injury on his ankle. It is further alleged that the petitioner also made firing but did not hit anyone.

Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that the specific allegation of shot firing is against co-accused Satyendra Kumar due to which informant's brother sustained gun shot injury. However, the only allegation against the petitioner is that he opened fire incessantly but did not hit anyone. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. It is also submitted that the petitioner is languishing in judicial custody since 05.12.2022.

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 Gaya Muffasil P.S. Case No. 617 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 1st Class, Gaya.

(Sunil Kumar Panwar, J)

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