

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17550 of 2023

Arising Out of PS. Case No.-46 Year-2023 Thana- AHIYAPUR District- Muzaffarpur

VIJENDRA KUMAR @ GOLU SHARMA SON OF VIJAY KUMAR @
VIJAY SHARMA R/O VILLAGE- CHATURI PUNAS, ABDUL NAGAR @
MADHOPUR, P.O.- MUZAFFARPUR, P.S.- AHIAPUR, DISTRICT-
MUZAFFARPUR

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prasoon Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 17-04-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 324, 326, 337, 307 and
34 of the Indian Penal Code and Sections 25(1-b)a, 35 and 27 of
the Arms Act.

The allegation against the petitioner along with others
is of firing upon the informant's right thigh due to which he
sustained injury. It is further alleged that the co-accused Golu
Dubey fired by his pistol upon Ram Kishore Gupta due to which
he sustained gun-shot injury, thereafter all accused persons fled
away.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. He has committed no offence. He submitted that from the perusal of the FIR, there is no specific allegation of firing against the petitioner rather the specific overt act of opening fire is attributed to co-accused Golu Dubey, due to which the informant sustained injury. No incriminating article has been recovered from the conscious possession of the petitioner. He is languishing in judicial custody since 17.01.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Muzaffarpur in connection with Ahiyapur P.S. Case No. 46 of 2023.

(Sunil Kumar Panwar, J)

arish/-

U		T	
---	--	---	--

