

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31653 of 2023

Arising Out of PS. Case No.-153 Year-2021 Thana- GAYA KOTWALI District- Gaya

SHANKAR MODI @ ANIL KUMAR S/O GANAURI MODI R/O Village-
Paura @ Paura Kadirganj, P.S- Kadirganj @ Kadirgan, Distt.- Nawada @
Nawadah.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raju Kumar

For the Opposite Party/s : Mr.Sangeeta Sharma

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-06-2023 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 307, 120B/34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the accused persons said to
have fired upon the informant's knee, right hand and right chest,
due to which he sustained injury. It is further alleged that the
petitioner and another co-accused fired, which hit one Niranjana
Kumar.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. The allegation is not only against the



petitioner alone, but it is against two persons, so it can not be ascertained as who inflicted injury to said Niranjana Kumar out of two assailants. From the perusal of the injury report, it appears that only one lacerated wound found and the doctor opined that injury is simple in nature. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 14.12.2022.

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 as well as period of custody, 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 Chief Judicial Magistrate, Gaya/ concerned Court in connection with Gaya Kotwali P.S. Case No. 153 of 2021.

(Sunil Kumar Panwar, J)

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