

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33094 of 2023**

Arising Out of PS. Case No.-1021 Year-2022 Thana- KHAGARIA District- Khagaria

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RUPESH KUMAR @ TIGER S/O RANJEET YADAV R/O Village-
Dominiyan Chowk, Goshala Road, P.S. Chitragupt Nagar, District-Khagaria

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shrishti Singh

For the Opposite Party/s : Mr.Braj Kishore Pd.(App)

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

3 31-07-2023 Heard learned counsel for the petitioner 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 Section

307 of the Indian Penal Code and Section 27 of the

Arms Act.

It is alleged against the petitioner and other

F.I.R named accused persons that they surrounded the

informant and opened fire at him, as a result of which

he sustained two gunshot injuries on the left arm and

fell on the ground.

It is submitted by learned counsel for the



petitioner that petitioner is innocent and he has falsely been implicated in this case over a trivial dispute of football playing between the informant and the accused persons. The informant and the petitioner were on inimical terms from before and the allegation of shot fire upon the informant is against four accused persons including the petitioner. The informant himself is a veteran criminal who might sustained injury in other place and due to previous enmity, the petitioner and others have been roped in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 24.7.2023 passed in Cr. Misc. No. 31652 of 2023. Moreover, the injuries are not on the vital part of the body. The petitioner is languishing in custody since 15.12.2022.

Learned A.P.P appearing on behalf of the State has vehemently opposed the prayer for bail and submitted that petitioner is having two criminal antecedents.



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 Chief Judicial Magistrate, Khagaria in connection with Khagaria P.S. Case No. 1021 of 2022.

(Sunil Kumar Panwar, J)

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