

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34101 of 2022

Arising Out of PS. Case No.-68 Year-2022 Thana- KANKARBAG District- Patna

Nikhil Kumar Son Of Anil Kumar @ Bittu Resident Of Mohalla- Utri
Mandiri, P.S. Budhacolony, District - Patna. At Present- Chiraiyatad
Prithvipur Near Gajadhar School, P.S. - Kankarbagh, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vindhya Keshari Kumar, Sr. Adv.
Mr. Ravi Shankar Pathak

For the State : Mr. Md. Mushtaque Alam

For the Informant : Mr. Ashok Kumar Garg, Adv.
Mr. Sanjay Kumar Pathak, Adv.

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 03-01-2023 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 341, 387, 506, 307,

326/34 of the Indian Penal Code and Section 27 of

Arms Act.

Prosecution case in nutshell is that that on

21.01.2022, petitioner along with other co-accused

persons surrounded the son of informant, namely, Sunny



Kumar and demanded Rs. 20,00,000/- as extortion and threatened of dire consequences. It is further alleged that all the accused persons possessed pistol in their hand and petitioner caught the son of informant and fired upon him, due to which he sustained injury.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 23.01.2022. It is also submitted that no incriminating article has been recovered from the possession of the petitioner. There is no repeated blow and from the perusal of the injury report, it appears that nature of injury is not asserted. From the perusal of the medical report, annexed with Case Diary, only lacerated wound over left eyebrow and fracture of mandible is seen. It is further submitted that in the background of property dispute the present case has been registered and petitioner is made accused with false allegations.



There is case and counter case pending between the parties.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration 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 in connection with Kankarbagh P.S. Case No. 68 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 Judicial Magistrate, 1st Class, Patna.

(Sunil Kumar Panwar, J)

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