

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35476 of 2023

Arising Out of PS. Case No.-276 Year-2022 Thana- GUTHANI District- Siwan

Raushan Singh @ Rohit Singh @ Khutta, S/o Kamlesh Singh, R/o Village-
Sahagara Purab Tola, P.S.- Guthani, Distt.- Siwan.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Sushil Kumar, Advocate

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 11-07-2023 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

The accused/petitioner seeks bail in connection
with Guthani P.S. Case No.276 of 2022 registered for the
offences punishable under Sections 147, 148, 149, 325, 307,
120-B of the Indian Penal Code and Section 27 of the Arms Act.

The accused/petitioner is named in the FIR and is
in custody since 17.02.2022.

Allegation against the petitioner is to open fire
upon informant along with other co-accused persons causing
firearm injuries, having intention to cause his death, where
occurrence is arises out of local political differences.

It is submitted by learned counsel that narration of
FIR is not suggesting whether alleged firing was made with



intention to cause death and moreover firing made by this petitioner hit upper lips of the informant/injured, which is non-vital part. It is also submitted that alleged firing is also not appears repeated, where false implication appears to raised in the background of local political differences. It is further submitted that allegation of firing is also available against co-accused, Vikash hitting different parts of the body of informant, has already granted bail by one of the learned co-ordinate Bench of this Court vide order dated 24.05.2023 as passed in Cr. Misc. No.27315 of 2023. It is submitted that the present FIR is lodged with an unexplained delay of three days. While concluding argument, it is submitted that the petitioner found involved in four more criminal cases, where he is on bail and moreover investigation of this case has been completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence.

Learned APP opposes the prayer for grant of bail to the petitioner.

In view of above-mentioned facts and circumstances and by taking note of nature of allegation, where bullet injury appears to be caused on non-vital part of the body, coupled with the fact that charge-sheet has already submitted,



where petitioner is in custody since 17.02.2022, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI, Siwan in connection with Guthani P.S. Case No.276 of 2022, subject to the conditions as laid down under Section 437(3) of the CrPC.

(Chandra Shekhar Jha, J.)

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