

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36916 of 2023

Arising Out of PS. Case No.-660 Year-2022 Thana- NAUBATPUR District- Patna

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DIPU RAI @ DIPU KUMAR @ LAMBU Son of Chansi Ray Resident of
village - Bairiya, P.S. - Gopalpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Tiwary

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-07-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Sessions Trial No. 263 of
2023 arising out of Naubatpur P.S Case No. 660 of 2022 dated
02.10.2022 registered for the offences punishable under
Sections 341, 323 and 307 read with 34 of the Indian Penal
Code and Sections 27 of the Arms Act.

As per the prosecution case, the petitioner and the co-
accused persons are alleged to have entered the house of the



informant and the petitioner is alleged to have fired on the right eye of the informant's wife causing injury.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that the occurrence took place on 01.10.2021 at 12.30 P.M. but the injured was treated on 03.10.2021. The petitioner is accused in one more criminal case as stated in para 3 of the bail petition. The petitioner is in custody since 05.10.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is specific allegation of firing against the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Danapur, Patna in connection with Sessions Trial No. 263 of 2023 arising out of Naubatpur P.S Case No. 660 of 2022, with the condition:-

1. The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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