

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38623 of 2022

Arising Out of PS. Case No.-260 Year-2020 Thana- UJIYARPUR District- Samastipur

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ANKIT KUMAR S/o- Ramashish Ray @ Hariom Resident of Village -
Chaknijam, P.S.- Ujiyarpur, District - Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Jata Shankar Jha

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 09-01-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 302/23, 120(B) IPC
and Section 27 of the Arms Act.

As per allegation in the FIR, brother of the informant
had made a demand of his outstanding amount from then
petitioner armed with pistol fired upon him which hit his thumb
of his right wrist. His brother started to run to save his life then
co-accused Ramashish Rai and three others started
indiscriminate firing as a result of which he received gun shot
injuries on his chest and head and he succumbed to injuries on
spot.

It is submitted by learned counsel for the petitioner



that petitioner has been falsely implicated in this case. As per FIR, petitioner fired gunshot which hit his right wrist, which is not a vital organ. Specific allegation of firing is against Ramashish Rai and three others, as a result of which he succumbed to injuries. Several co-accused persons have already been granted bail by different co-ordinate Benches vide order dt. 7.12.2021 passed in Cr. Misc. No. 28622 of 2021 and vide order dt. 3.9.2021 passed in Cr. Misc. No. 14184 of 2021 .Petitioner is in custody since 28.12.2021.

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, 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 SDJM, Dalsingsarai in connection with Ujiyarpur P.S. Case No. 260 of 2020.

(Sunil Kumar Panwar, J)

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