

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38258 of 2023

Arising Out of PS. Case No.-98 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

ARVIND SINGH Son of Late Ram Pujan Singh Resident of village -
Laxmanpur, P.S. - Ara (Muffasil), Distt. - Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Sr. Adv
	:	Mr. Shashikant
For the Opposite Party/s	:	Mr. Satya Nand Shukla

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 323, 324, 307, 379, 504/34 of the Indian Penal Code and later on added section 302 of I.P.C.

3. As per prosecution case, the informant alleged that the petitioner along with other co-accused persons entered in his house and the petitioner pointed country pistol upon the head of informant's son namely, Bablu Singh and other co-accused Raja Singh gave axe blow upon his head due to which he sustained injuries and died during course of treatment. It is further alleged that prior to the incident, the accused persons threatened the



informant's son to face dire consequences.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. From perusal of FIR as well as case diary, the petitioner is alleged to have pointed country made pistol upon the head of the informant's son but he did not fire whereas, the specific overt act of gave axe blow is against co-accused Raja Singh due to which informant's son succumbed to injury. No specific overt act of assaulting is attributed against this petitioner. He has got no criminal antecedent as stated in para-3 of the bail petition. It is further submitted that the petitioner is languishing in judicial custody since 3.5.2023.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail **after framing of charge, if charge is not framed**. The above named petitioner is directed to be released on bail in connection with Ara (Muffasil) P.S. Case No. 98 of 2023 on furnishing bail bond of Rs.10,000/- (ten thousand) with



two sureties of the like amount each to the satisfaction of
learned Additional Chief Judicial Magistrate-VII, Ara.

(Sunil Kumar Panwar, J)

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