

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39228 of 2022

Arising Out of PS. Case No.-30 Year-2021 Thana- SUIYA District- Banka

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BIRENDRA MARANDI Son of Jhuma Marandi Resident of Village -
Nimatand, P.S.- Suiya, District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Subhash Kumar Jha, Advocate

For the Opposite Party/s : Ms. Gulnar Begaum, APP

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 11-01-2023 Heard the learned counsel for the
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Suiya P.S. Case No. 30 of 2021, registered for the offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The case of the prosecution, in brief, is that on 31.03.2021, while the informant was going back to his home from Hadikuda and had reached near Kawariya path, the petitioner and two other accused persons had obstructed the way of the informant and then the petitioner had



fired gunshot upon the informant, which had hit his right palm and then the accused persons had fled away.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 23.03.2022. The learned counsel for the petitioner has further submitted that the petitioner had no intention to kill the informant and a bare perusal of the injury report would show that the injury sustained by the informant has been found to be simple in nature, hence, the petitioner be granted the privilege of bail.

Per contra, the learned APP for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available



on record, this Court finds that the injury sustained by the informant, attributable to the petitioner has been found to be simple in nature, apart from the fact that the petitioner is having a clean antecedent, hence, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-1st, Banka in connection with Suiya P.S. Case No. 30 of 2021.

(Mohit Kumar Shah, J)

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