

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50773 of 2023

Arising Out of PS. Case No.-254 Year-2022 Thana- MALSALAMI District- Patna

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Pramod Rai @ Pachu @ Panchu @ Pacchu Son Of Suresh Rai Resident Of
Village- Ganga Mandir Rikhabganj, Nagla, Ps- Malsalami, District Patna
Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms. Soni Shrivastav, Advocate

Mr.Kalyan, Advocate

For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

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

ORAL ORDER

2 17-08-2023 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.

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

3. The petitioner has preferred this application for
grant of regular bail in connection with Malsalami P.S. Case No.
254 of 2022 dated 07.05.2022 registered for the offences
punishable under Sections 147, 148, 149, 341, 323, 307, 504,
506 and 120B of the Indian Penal Code and Section 27 of the
Arms Act.

4. As per the prosecution case, the petitioner and the



co-accused persons along with 50 unknown persons holding *lathi*, *danda* and iron rod came to the house of Vijendra Kumar and started assaulting. In the meantime, the co-accused Vinod Kumar fired on the *panjra* of Kundan Kumar. When Raj Kumar came to rescue, the petitioner fired on him, causing injury.

5. 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. Charge-sheet has already been submitted against the petitioner. The injured was examined by private hospital after the delay of one month as per Annexure-3. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 16.03.2023.

6. 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. It is further submitted that the injury is grievous in nature.

7. 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, Patna City, Patna in connection with Malsalami P.S.

Case No. 254 of 2022, with the condition :-

(i) 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.

8. The application stands allowed.

(Chandra Prakash Singh, J)

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