

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57772 of 2023

Arising Out of PS. Case No.-17 Year-2023 Thana- NARKATIYAGANJ RAIL P.S. District-
West Champaran

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Sujit Kumar Mishra @ Pintu Mishra Son Of Balkrishna Mishra R/O - Block
Road Ward No 22 Ps Shikarpur District West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Mr.Tarun Prasad Mandal

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case instituted for the offence under Section 307 of the Indian Penal Code and Sections 25(1-b)a, 26 and 27 of the Arms Act but charge-sheet has been submitted under Sections 307 and 326 of the IPC and Sections 25(1-b)a, 26 and 27 of the Arms Act.

3. The allegation against the petitioner is of firing upon one Sunil Kumar Arya due to which he sustained injury. It is further alleged that after giving this information to the police official they came and apprehended the petitioner and there has been recovery of one country-made pistol, one fired bullet, one knife and three live cartridges from the possession of the



petitioner.

4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case due to dirty village politics. He has committed no offence. He submitted that the petitioner being chronic patient of panic disorder with Agrophobia and has been under treatment and due to his ailment, he was facing the problems from the company namely, Web Tech International Ltd, which deals with the Railway Contract work and as such the petitioner in spite of his weak mental condition was in habit of wandering at Railway Station. He further submitted that neither the informant nor the injured actually saw the persons who allegedly fired but just in order to explain the incident of firing at the platform, the Rail Police made the petitioner scape goat by introducing an imaginary story. The petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 07.03.2023.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Additional District and Sessions Judge 10th, Bettiah, West Champaran in connection with Narkatiyaganj Rail P.S. Case No. 17 of 2023.

(Sunil Kumar Panwar, J)

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