

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.58337 of 2022

Arising Out of PS. Case No.-450 Year-2021 Thana- GOPALPUR District- Bhagalpur

ROUSHAN KUMAR SINGH @ ROUSHAN KUMAR S/O DEVEN @
DEVENDRA SINGH Resident of village- Murli, P.S.- Rangra, (Gopalpur),
District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr.Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 06-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Gopalpur (Rangra) P.S. Case No. 450 of 2021 for the offence registered under Sections 147, 148, 149, 307 and 506 of the Indian Penal Code and 27 of Arms Act.

The case of the prosecution, in brief, is that on the alleged date and time of occurrence the accused persons including the petitioner had entered inside the house of the informant, brandishing fire arms, whereafter they had assaulted the informant. It is further alleged that the petitioner and two co-accused persons had



fired upon the informant resulting in the informant sustaining gun shot injuries on the right hand and on his right rib cage.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is languishing in custody since 29.06.2022. The learned counsel for the petitioner has further submitted that the petitioner has been falsely implicated on account of village rivalry and though two bullet injuries have been found on the person of the informant, but three accused persons including the petitioner have been alleged to have fired on the informant, nonetheless, the fact is that the informant has not sustained any injury on vital part of the body though the injuries have been found to be grievous in nature.

Per contra, the learned counsel 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 as also considering the fact that a general and omnibus allegation has been levelled against the three accused persons of firing upon the informant resulting in him being inflicted with gun shot injuries apart from the fact that the petitioner is having a clean antecedent, though I deem it fit and proper to release the petitioner on bail, but immediately upon framing of charge by the learned court below subject to such conditions as may be deemed fit and proper to be imposed by the learned court of A.C.J.M.-III, Naugachiya in connection with Gopalpur (Rangra) P.S. Case No. 450 of 2021.

The petition stands disposed off with the aforesaid observations and directions.

(Mohit Kumar Shah, J)

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