

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.58809 of 2022**

Arising Out of PS. Case No.-30 Year-2020 Thana- BIHIA District- Bhojpur

SARAL KARMKAR @ VIKASH KUMAR Son of Bhuletan Singh @  
Buletan Karamkar Resident of Mohalla- Saheb Tola, P.S- Bihiya, Dist-  
Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Anil Kumar Singh, Adv.

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      13-01-2023                      Heard the learned counsel for the  
petitioner and the learned APP for the State.

The petitioner seeks regular bail in connection with Bihiya P.S. Case No. 30 of 2020, registered for the offence punishable under Sections 448, 354, 307, 504 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the accused persons having arrived at the house of the informant, whereafter they had entered the house and had manhandled the mother of the informant, which was objected to by the informant and then, the co-accused person,



namely, Chhotu Kumar Thakur, had fired gunshots from his arms on the left arm of the informant, resulting in him sustaining gunshot injuries, thereafter, the other accused persons had also fired indiscriminately and 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 and he is languishing in custody since 04.07.2022. The learned counsel for the petitioner has further submitted that though the petitioner is an accused in one other case, but he is on bail in the said case. It is further submitted that the main accused person, who had fired gunshots, which had resulted in the informant sustaining gunshot injuries, namely, Chhotu Kumar Thakur, has already been granted bail by a co-ordinate Bench of this Court, vide order dated 06.10.2022, passed in Criminal Miscellaneous No. 53933 of 2021.

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 on record as also considering the fact that the petitioner has not been alleged to have engaged in any sort of specific overt act, apart from the fact that the main accused person has already been granted bail by a co-ordinate Bench of this Court, I deem it fit and proper to direct for release of the petitioner on regular 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 Additional Chief Judicial Magistrate-XII, Bhojpur at Ara in connection with Bihiya P.S. Case No. 30 of 2020.

**(Mohit Kumar Shah, J)**

Ajay/Saurav

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