

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65001 of 2023

Arising Out of PS. Case No.-73 Year-2022 Thana- INARWA District- West Champaran

RAKESH KUMAR DAS Son of Gorag Das @ Gorang Das @ Gorang
Chandra Das R/o vill - Kawalpur, P.S. - Inarwa, Distt. - West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mrs.Veena Kumari Jaiswal

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

ORAL ORDER

2 12-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Inarwa P.S. Case No. 73 of 2022 dated 7.8.2022 registered for the offences punishable u/s 341, 342, 307 read with section 34 of the Indian Penal Code.

3. As per the prosecution case, when the informant was going to his house on motorcycle, the accused persons intercepted the informant and the co-accused persons caught hold of him and the petitioner fired from country made katta gun on the chest of the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case. Nothing incriminating material has been recovered from the conscious possession of the petitioner. There is land dispute between the parties. Learned counsel has further submitted that there is no repetition of firing. He has further submitted that nature of injury has not been mentioned in the impugned order. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 3.6.2023 i.e. for more than four months.

5. 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 and the injury is grievous in nature.

6. 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, Bettiah, West Champaran in connection with Inarwa P.S. Case No. 73 of 2022 with the following conditions :-

(i) One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to



the petitioner.

(ii) 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 bonds of the petitioner are liable to be cancelled.

(iii) If the petitioner is found involved in any similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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