

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63910 of 2022

Arising Out of PS. Case No.-463 Year-2021 Thana- PATLIPUTRA District- Patna

RAHUL KUMAR @ RAHUL SINHA Son of Bipin Sinha Resident of At Present Road No.- 8B, Ashok Nagar, Near Geeta Devi, I.T. Institute Kankarbagh, Patna and Permanent Address - Dara Hisua, Nawada, District - Nawada, Bihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Pandey

For the Opposite Party/s : Mr.Rajiv Nayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 28-03-2023 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner has prayed for bail in a case registered for the offence punishable under sections 307, 115, 34, 120(B), 326 of the Indian Penal Code and section 27 of the Arms Act.

Prosecution case relates to opening fire upon the informant by the accused persons as a result of which he received gun shot injury causing penetrating wound on right side of chest wall. Accused persons were sitting inside a white colour Maruti Swift Dezire Car, of which petitioner was driver.

It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Specific allegation of opening fire is against unknown. General and



omnibus allegation has been levelled against the petitioner. Petitioner was simply a driver of Swift Dezire Car in which accused persons were sitting at the time of alleged incident. Petitioner is languishing in judicial custody since 25.10.2021.

The application for bail is opposed by learned APP for the State and submitted that petitioner was present at the place of occurrence and was also involved in hatching the conspiracy. As per injury report, in para 86 of the case diary, informant has received gun shot injury on chest, which is a vital part.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 & Sessions Judge XVIII, Patna Sadar at Patna in connection with Patliputra P.S. Case No. 463 of 2021.

(Sunil Kumar Panwar, J)

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