

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62626 of 2022**

Arising Out of PS. Case No.-467 Year-2017 Thana- BAKHTIYARPUR District- Patna

SARBIND RAY, Son of Shiv Shankar Ray, Resident of Village- Nayatola Bariarpur, P.S.-
Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Usha Kumari Singh, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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

ORAL ORDER

2 29-03-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 147, 148, 149, 447, 341, 323, 325 and 307 of the Indian Penal Code and Sections 25(1-b)a, 26, 35 and 27 of the Arms Act.

As per the prosecution case, the petitioner and the co-accused persons are alleged to have ploughing his field. On this information, the informant and five other family members reached there and then they started abusing. On being objected by the informant, the co-accused Vijay Kumar Pankaj fired on the informant with intent to kill. As a result, the informant got injuries on his right hand, right leg, stomach and chest. The co-accused



Bijendra Kumar fired to kill his cousin brother Naresh Roy, due to which, he also sustained injury on his hand.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is case and counter case between the parties. He has further submitted that the specific allegation of firing is against the co-accused persons. There is general and omnibus allegation against the petitioner. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 26.06.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

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, Barh in connection with Bakhtiyarpur P.S. Case No. 467 of 2017.

The application stands allowed.

(Chandra Prakash Singh, J)

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