

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61325 of 2022**

Arising Out of PS. Case No.-239 Year-2021 Thana- SHEKHPURA District- Sheikhpura

LALAN KUMAR S/O Ravindra Mahto R/O Village- Dheusa, P.S-
Sheikhpura, District- Sheikhpura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranjit Prasad, Adv.

For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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

2 30-01-2023 Heard the learned counsel for the petitioner
and the learned APP for the State.

The petitioner seeks regular bail in connection with Sheikhpura (Kusumbha O.P.) P.S. Case No. 239 of 2021, registered for the offence punishable under Sections 341, 323, 307, 379 and 504 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is regarding the informant being on way to flour mill on 29.4.2021 at about 11:00 O'clock in the morning and on the way, he saw that two groups were quarreling amongst themselves, hence he had tried to pacify them,



but during the interregnum period, the petitioner had fired gunshots from his pistol, resulting in the informant sustaining bullet injury in his right leg under the knee.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, he is having a clean antecedent and he is languishing in custody since 29.08.2022. The learned counsel for the petitioner has further submitted, by referring to the injury report, annexed as Annexure-2 to the present petition that the firearm injury is simple in nature and the gunshot has been fired from a distance, hence, it is submitted that a lenient view be taken for the purposes of grant of bail to the petitioner.

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



available on record as also considering the fact that the injury sustained by the informant has been found to be simple in nature, apart from the fact that the petitioner is having a clean antecedent and is languishing in custody since 29.8.2022, 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 Chief Judicial Magistrate, Sheikhpura in connection with Sheikhpura (Kusumbha O.P) P.S. Case No. 239 of 2021.

(Mohit Kumar Shah, J)

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