

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61628 of 2022

Arising Out of PS. Case No.-115 Year-2022 Thana- BUNIYAD GANJ District- Gaya

Tullu Singh @ Bhupendra Singh S/o Sitaram Singh R/o Village- Bhualpur,
P.S.- Buniyadganj, Distt- Gaya, Bihar-823003.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Ashutosh Singh, Advocate
For the Opposite Party/s : Mr. Rajendra Prasad Nat, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-02-2023 Let the defects, if any, pointed out by the office be removed within three weeks from the date of this order, failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Buniyadganj P.S. Case No. 115 of 2022 registered for the offences punishable under Sections 147, 148, 149, 323, 326, 307, 354, 379, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution, the informant's nephews were assaulted by this petitioner by means of *lathi* at the alleged place.

The main submissions advanced by Mr. Ashutosh Singh, learned counsel for the petitioner are that altogether sixteen named persons including the petitioner were alleged to have committed

the alleged offence but in the FIR the main allegation of causing firearm injuries to the injured persons detailed in the FIR are against the co-accused persons and petitioner and co-accused namely, Amit Kumar were simply alleged to have assaulted the informant's nephew Amit Kumar and Rahul Kumar and their injury reports have been filed vide Annexure-2 series which show that both the said persons sustained very superficial injuries which were opined to be simple in nature and the petitioner has been languishing in jail since 25.07.2022 and against him there are criminal antecedents of two cases in which he has got bail.

Mr. Rajendra Prasad Nat, learned APP for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the nature of the allegation appearing against the petitioner from the FIR, this Court is inclined to accept the bail prayer of the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Buniyadganj P.S. Case No. 115 of 2022.

(Shailendra Singh, J)

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