

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.61727 of 2022**

Arising Out of PS. Case No.-77 Year-2022 Thana- LALGANJ District- Vaishali

Ravi Kumar, Son of Amarnath Shukla, R/o Village - Jalalpur, P.S.- Lalganj,  
District - Vaishali.

... .. Petitioner/S

Versus

The State of Bihar.

... .. Opposite Party/s

**Appearance :**

|                            |                                  |
|----------------------------|----------------------------------|
| For the Petitioner/s :     | Mr. Shishir Kumar, Advocate      |
| For the Opposite Party/s : | Mr. Anand Kishore Choudhary, APP |
| For the Informant :        | Mr. Niraj Kumar, Advocate        |
|                            | Ms. Saloni Sinha, Advocate       |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

6      23-02-2023                      Heard learned counsel appearing on behalf of the  
petitioner, learned counsel appearing on behalf of the State and  
learned counsel appearing on behalf of the informant.

Let the defect(s), if any, be removed within a period  
of four weeks from today.

The petitioner seeks bail in connection with Lalganj  
P.S. Case No. 77/2022 registered for the offence under Section  
302/34 of the Indian Penal Code and Section 27 of the Arms  
Act.

The accused/petitioner is named in the F.I.R. and is in  
custody since 13.03.2022.

The allegation against the petitioner is to commit  
murder of son of the informant alongwith other co-accused  
persons by causing firearm injuries, while deceased was



sleeping in partly constructed house belongs to informant on the intervening night of 11.03.2022, where previous enmities is founded over pending litigation.

Learned counsel appearing on behalf of the petitioner submitted that petitioner was not present at the place of occurrence, when occurrence alleged to be committed, as it is appearing from Call Details Report of the mobiles as surfaced during the investigation as mentioned in Para- 110 of case diary, showing clearly that at the time of occurrence he was present at Repura. It is also submitted that allegation of firing is also available against co-accused Sanjay Shukla, where only one firearm injury was noticed, while conducting postmortem upon the deceased, and as such, it is difficult to ascertain that who caused fatal firearm injury. Even, the version of deceased narrated to the informant soon before his death is appearing doubtful on its face, which is the basis of implication of petitioner. It is pointed out that place of occurrence is also appearing disputed. It is also submitted that informant is not the eye-witness of the occurrence. While concluding the argument, it is submitted that petitioner found involved in one more case and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of



tampering with the evidence.

Learned APP, duly assisted by learned counsel Mr. Niraj Kumar appearing on behalf of the informant while opposing the prayer of bail submitted that allegation to cause fatal firearm injury is specific against this petitioner but fairly conceded that same is also available against co-accused Sanjay Shukla as per the face of FIR.

Considering the facts and circumstances as mentioned above as allegation of firing is not specific against this petitioner, where petitioner appears at some difference locations as per face of Call Details Report, coupled with fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Lalganj P.S. Case No. 77/2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, Vaishali at Hajipur/concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

**(Chandra Shekhar Jha, J)**

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