

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66958 of 2023

Arising Out of PS. Case No.-420 Year-2023 Thana- NAUBATPUR District- Patna

NIRAJ KUMAR Son of Vijay Prasad @ Vijay Rai R/o vill - Reghaniya Bagh,
P.s. - Naubatpur, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	M/s Saket Anand Chhaya Kirti Alok Kumar, Advocates
For the Opposite Party/s :		Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 19-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Naubatpur P.S. Case no.420 of 2023 registered under sections 307, 341, 342, 323, 504, 506 and 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, it is stated by the informant that Vijay Rai along with his sons which included the petitioner herein came variously armed. Mukul Kumar is said to have fired from his country made pistol hitting the informant on his shoulders and leg. All the persons are said to have assaulted the informant and the members of his family. The petitioner is stated to have taken the gold chain of the informant.



4. Learned counsel for the petitioner submits that the petitioner and others have been falsely implicated in the case because of enmity between the parties. Even as per the allegations in the F.I.R, no overt-act has been alleged against the petitioner who is in custody since 7.7.2023. As per instructions received, other co-accused namely Vijay Rai, Rahul Kumar and Chunnu Kumar have been enlarged on anticipatory bail vide order dated 18.10.2023 passed in Cr. Misc. no. 58299 of 2023.

5. Heard learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the submissions made on behalf of the petitioner, the nature of allegation against the petitioner in the FIR, his being in custody since 7.7.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Naubatpur P.S. Case no.420 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate VI, Danapur.

(Partha Sarthy, J)

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