

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66680 of 2023

Arising Out of PS. Case No.-134 Year-2023 Thana- KASIMBAZAR District- Munger

Kisan Mandal Son Of Anil Mandal @ Anil Prasad Singh Resident Of Village
- Maksuspur, (BICHAGAON), P.S. - Kasim Bazar, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indu Bhushan, Advocate
For the State : Mr. Surendra Prasad Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 21-12-2023 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Kasim
Bazar P.S. Case No. 134 of 2023 instituted for the offence under
Sections 307/34 of the Indian Penal Code and 27 of the Arms
Act.

3. The allegation in the FIR is that petitioner along
with some co-accused persons surrounded the informant and
assaulted and on order of this petitioner one bullet was fired
which hit in stomach and chest of the informant and further
allegation is that the petitioner assaulted with butt of pistol on
head.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 11-05-2023. Petitioner bears three criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is not alleged to have caused any injury by means of fire arms as such no case under Section 27 of the Arms Act will be made out.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and nature of accusation, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kasim Bazar P.S. Case No. 134 of 2023 subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date



fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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