

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66909 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- BAGENGOLA District- Buxar

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DIPU KUMAR S/O RAMESHWAR CHAUDHARY R/o vill - Baruha, P.S. -
Bagengola, Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravi Shankar Pathak, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 17-10-2023

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Bagengola P.S. Case no.68 of 2023 registered under sections 307, 379, 148, 149, 341, 323, 325, 324, 354A and 506 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the seven named accused persons including the petitioner herein are said to have come variously armed. The petitioner is said to have fired from his country made pistol resulting in fire-arm injury to Surendra Singh.

4. It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case because of pending disputes going on between the parties



who are co-villagers as also neighbors. There is case and counter case between the parties, the correct version having been given in the counter case. The petitioner is in custody since 1.6.2023 and has no criminal antecedent. Investigation in the case has concluded. A number of coaccused have been enlarged on bail.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR according to which the petitioner is said to have fired hitting Surendra Singh and the bullet could be extracted after an operation conducted in the Patna Medical College and Hospital, Patna, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after framing of charge or after completing one year in custody, whichever is later.

(Partha Sarthy, J)

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