

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66588 of 2022

Arising Out of PS. Case No.-684 Year-2014 Thana- KATIHAR NAGAR District- Katihar

1. Jai Singh Begani S/O Bimal Singh Begani @ Bimal Singh Bengani R/O Mohalla Gir School Road, Amla Tola P.S- Katihar Town, District- Katihar
2. Lalchhu Singh Begani @ Laxmi Pat Begani S/O Shobha Chand Begani R/O Mohalla Gir School Road, Amla Tola P.S- Katihar Town, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 02-03-2023 Let the defect(s), 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 petitioners and the learned APP for the State.

Petitioners seek regular bail in connection with Katihar Town P.S. Case No.684 of 2014 registered for the offences punishable under Sections 341, 323, 324, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution, the informant's brother was assaulted by some unknown persons over an altercation and



further it is alleged that one accused person opened fire at the informant.

The main submissions advanced by the learned counsel for the petitioners are that the petitioners and the informant are next door shopkeepers and they are not in good terms with each other and the petitioner No.2 had also filed Katihar Town P.S. Case No.685 of 2014 against the informant of the present case with an allegation that the nephew of petitioner No.1 was assaulted by the father of the informant and his two sons of the present case and when the petitioner no.2 went to save him then the father of the informant who had pistol in his hand tried to shoot the petitioner No.1 but by the time nearby people rushed there and tried to snatch the pistol but by chance the firing was made which hit the leg of informant's son. Further submission is that as per the prosecution's story mentioned in the FIR both the petitioners are not alleged to be the assailants and there is no allegation of firing against them and moreover the informant sustained fire-arm injury at non-vital part of his body and both the petitioners have fair and clean antecedent and have been languishing in jail since 16.09.2022 and the investigation has been completed.

Learned APP appearing for the State has opposed the



bail prayer.

In view of the facts, as stated above, and mainly considering the petitioners’ custody period and their fair and clean antecedent and the nature of allegation appearing against them from the FIR, in the opinion of this Court a lenient approach can be taken in respect of the petitioners’ prayer, let the petitioners be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Katihar Town P.S. Case No.684 of 2014.

(Shailendra Singh, J)

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