

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67676 of 2022

Arising Out of PS. Case No.-288 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Suraj Kumar Son of Dilip Singh R/v- Machaha, P.S.- Muffasil, District- Begusarai
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance:

For the Petitioner/s : Mr. Chandan Kumar Kashyap, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 23-03-2023 Let the defects, if any, pointed out by the office be removed within four 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 petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Muffasil (Singhaul) P.S. Case No. 288 of 2022 registered for the offences punishable under Section 307/34 of the Indian Penal Code and Section 27 of Arms Act.

As per the prosecution, the informant alleged that one Rajiv Kumar alongwith some unknown persons fired upon the informant over a land dispute.

The main submissions advanced by learned counsel for petitioner are that the petitioner is not named in the FIR, the informant made allegations against one named co-accused namely,

Rajeev Kumar @ Munna and three to four unknown persons and admittedly the said Rajeev Kumar @ Munna has land dispute with the informant and he has been granted bail by co-ordinate bench of this Court vide order passed in Cr. Misc. No. 65601 of 2022, though against the petitioner there are criminal antecedents of six cases in which he is on bail in all the said cases and out of said antecedents he has been made accused wrongly in three cases and in the alleged firing the informant did not sustain any injury and he has been languishing in jail since 02.08.2022.

Learned APP for the State has opposed the bail prayer.

In view of the facts, as stated above and mainly considering the privilege of bail having been granted to the named co-accused by co-ordinate bench of this Court and also the fact that in the alleged firing the informant did not sustain any injury as it reflects from the FIR and admittedly there is land dispute in between the co-accused Rajeev Kumar @ Munna and informant, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named above be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of concerned Court in connection with Muffasil (Singhaul) P.S. Case No. 288 of 2022.

(Shailendra Singh, J)

Shahnawaz/-

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