

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75281 of 2023

Arising Out of PS. Case No.-465 Year-2023 Thana- PIRBAHOR District- Patna

Raushan Kumar @ Rahul @ Andi Pop S/O Vijay Kumar R/O Village-
Lohanipur, Rajendra Nagar Road No. 1, P.S- Kadam Kuan, Distt.- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 01-12-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Pirbahore P.S. case No. 465 of 2023, instituted for the offences
under Section 307/34 of the Indian Penal Code and Section 27
of the Arms Act.

3. Prosecution allegation, in short, is that the co-
accused persons including this petitioner is alleged to have fired
upon the brother of the informant due to which he sustained
injury on his thumb.

4. It has been submitted on behalf of the petitioner that
the petitioner is in custody since 25.06.2023 and has clean
criminal antecedent. Charge-sheet has been submitted in this



case. The petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. The nature of injury is said to be simple in nature, hence, no offence under Section 307 of the I.P.C. is made out.

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

6. Considering the aforesaid facts and circumstances of the case, the nature of injury and the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. 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 Pirbahore P.S. case No. 465 of 2023.

(Rudra Prakash Mishra, J)

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