

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74998 of 2022

Arising Out of PS. Case No.-91 Year-2022 Thana- NTPC District- Patna

RAM BABU @ CHHANGURI Son of Arbind Mahto R/v- Railley Bind Toli,
P.S.- N.T.P.C., District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Pandey, Advocate
For the Opposite Party/s : Mrs. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 07-04-2023 Let the defect(s), 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 learned APP for the State.

Petitioner seeks regular bail in connection with NTPC P.S. Case No. 91 of 2022 dated 20.08.2022, registered for the offences punishable under Sections 341, 323, 354, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution, the informant alleged that this petitioner along with other co-accused persons teased and harassed her daughter-in-law and upon protest, co-accused



Awadesh Mahto with eight to ten unknown persons arrived at the informant's house and started abusing and also opened fire at the informant's son and made four to five air firing while leaving the informant's house.

The main submissions advanced by petitioner's counsel are that there are two parts of the alleged occurrence, in the first part the petitioner and co-accused persons allegedly misbehaved and teased the informant's daughter-in-law when she was returning to her home and in the said part of the occurrence the petitioner is stated to be the accomplice of the other co-accused persons and the second part relates to the main allegation in which co-accused Awadesh Mahto and eight to ten unknown persons came at the house of the informant and started firing indiscriminately but in the said occurrence the petitioner was not alleged to be present with the said co-accused persons, though the petitioner has criminal antecedents of three cases but all the said cases were lodged under the offences of different nature and moreover he is on bail in all the said cases and in the present matter he has been languishing in jail since 01.09.2022 and admittedly no one sustained any injury in the alleged firing.

Learned APP appearing for the State has opposed the prayer for bail.



Having considered the submissions made by learned counsel for the petitioner and also taking into account the nature of allegation appearing against the petitioner from the FIR and his custody period, 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 the concerned Court in connection with NTPC P.S. Case No. 91 of 2022.

(Shailendra Singh, J.)

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