

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.114 of 2023

Arising Out of PS. Case No.-431 Year-2022 Thana- GOPALPUR District- Patna

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Vishal Kumar @ Chandra Vishal Kumar S/O Parmanand Rai @ Bhondu Rai
Resident Of Village- Ilahibagh, P.S.- Gopalpur, District- Patna

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Alok Ranjan

For the Opposite Party/s : Mr.Jitendra Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 24-03-2023 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 341, 323, 325, 307,

504/34 of the Indian Penal Code and Section 27 of

Arms Act.

Prosecution case in nutshell is that petitioner

along with other co-accused persons were abusing the

maid of informant and when the informant and his

brother raised protest, petitioner and other co-accused



persons assaulted them with brick and stone. It is further alleged that petitioner started firing indiscriminately which hits informant's brother due to which he sustained injuries.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is case and counter case between the parties. From perusal of the injury report, it appears that informant's brother sustained three lacerated wounds on scalp and doctor opined the injury as simple in nature. The injury report does not corroborates with the prosecution version of the case. Moreover, the petitioner is languishing in judicial custody since 1.9.2022.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail. Learned counsel for the informant submitted that the injury report filed by the petitioner is not challenged.



Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Gopalpur P.S. Case No. 431 of 2022 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna.

(Sunil Kumar Panwar, J)

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