

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2408 of 2023

Arising Out of PS. Case No.-207 Year-2019 Thana- PARWALPUR District- Nalanda

1. Sumit Kumar Son of Arun Bhagat Singh R/v- Gadaychak, P.S.- Parwalpur, District- Nalanda
2. Bhim Kumar @ Bhim Singh Son of Uday Singh R/v- Gadaychak, P.S.- Parwalpur, District- Nalanda
3. Arun Bhagat Singh @ Aurn Kumar @ Bhagat Singh Son of Surya Narayan Singh R/v- Gadaychak, P.S.- Parwalpur, District- Nalanda
4. Vinod Kumar @ Vinod Singh Son of Surya Narayan Singh R/v- Gadaychak, P.S.- Parwalpur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvnendra Kumar Thakur

For the Opposite Party/s : Mr.Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 28-03-2023 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners apprehend their arrest in a case registered for the offences punishable under Sections 307, 323 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, on the alleged date and time of occurrence, petitioners are alleged to have made indiscriminate firing upon the informant, but one passerby sustained firearm injury. It is further alleged that petitioner no. 4



assaulted the informant by butt of rifle and thereafter all the accused persons started assaulting with butt of rifle, as a result of which he sustained injury.

It is submitted that though there is allegation of firing, but none sustained firearm injury on the informant's side rather one passerby sustained firearm injury due to occurrence of firing. There is no specific allegation of firing against any of the accused persons as to which petitioner caused firearm injury to passerby. It is further submitted that for the same occurrence, three FIRs were lodged in which two FIRs Parwalpur PS Case No. 206 of 2019 and Parwalpur PS Case No. 207 of 2019 filed by the informant's side and Parwalpur PS Case No. 208 of 2019 was filed by the petitioner's side.

Considering the facts aforesaid, the petitioners above-named, in the event of their arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, are directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Hilsa, Nalanda in connection with Parwalpur P.S. Case No. 207 of 2019, subject to the conditions as laid down under Section



438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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