

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8497 of 2024

Arising Out of PS. Case No.-369 Year-2023 Thana- SULTANGANJ District- Bhagalpur

BANTI KUMAR, S/O- SUBHASH MANDAL, R/O- JAHANGIRA, P.S.-
SULTANGAJ, DISTRICT- BHAGALPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subodh Prasad, Advocate
Ms. Madhu Prasad @ Madhubala Verma, Advocate
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 20-02-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Sultanganj P.S. Case no. 369 of 2023 registered under sections 307 and 326 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant states that the petitioner fired on him as a result of which he sustained gunshot injury in his back.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case due to oblique reasons. The alleged occurrence is said to have taken place in midnight and the manner of occurrence is other than what has been narrated in the FIR. The petitioner is in custody since



23.8.2023 and has no criminal antecedent. Charge-sheet has been submitted in the case. The petitioner undertakes to cooperate in the trial.

5. The prayer for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR wherein the petitioner is said to have fired upon the informant causing firearm injury in his back, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. In the facts and circumstances of the case, liberty is granted to the petitioner to renew his prayer for bail on completing one year in custody or on framing of charge, whichever is later.

(Partha Sarthy, J)

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