

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9520 of 2024

Arising Out of PS. Case No.-196 Year-2023 Thana- GURARU District- Gaya

Vijit Kumar @ Bijet Kumar S/o Mithilesh Singh R/o Vill. - Dina, P.S. -
Guraru, Dist. - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jawed Gaffar Khan, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 20-02-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Guraru P.S. Case No. 196 of 2023, lodged on 26.10.2023 under
Sections 147, 148, 149, 323, 307 of the Indian Penal Code read
with section 27 of the Arms Act.

3. As per the prosecution case, FIR has been lodged
against sixteen named accused persons including the present
petitioner. The allegation in the FIR is that the petitioner with
one other person have assaulted by *lathi & danda* on the head
due to which the victim injured.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. Counsel
also submits that the entire allegation is general and omnibus



and nothing specific is there in the FIR. Counsel further submits that due to political rivalry as contained in the allegation of the FIR itself that this dispute took place on the evening of *Vijayadashmi* and the entire dispute has arisen. One party has given the name of all persons of other group and he is unnecessarily being made accused in the present case.

5. Learned counsel for the petitioner submits that from the injury report, it is clear that fracture took place in the left parietal bone and squamous part of left temporal bone with resounding soft issued damage with edema. Counsel further submits that the antecedent of the petitioner is not clean and there is only one criminal case pending against him. The petitioner is in custody since 01.12.2023 in the present case.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that from the injury report, doctor has opined that the injuries are grievous and dangerous to life.

7. In the present facts and circumstances of this case and the submissions made above, **let the petitioner above named, be granted bail, but only after framing of charge, if not framed** on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to



the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Guraru P.S. Case No. 196 of 2023, subject to the conditions as laid down U/s 437(3) Cr.P.C.

8. However, the petitioner shall be granted bail only after being satisfied by the Trial Court that the petitioner is not absconding in any of the cases pending against him whose details are as follows:-

(I)- Guraru P.S. Case No. 32 of 2020.

(Dr. Anshuman, J.)

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