

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11161 of 2024

Arising Out of PS. Case No.-350 Year-2023 Thana- WAJIRGANJ District- Gaya

Dilip Chaudhary Son of Keshar Chaudhary Resident of Village- Chanda
Khurd, P.S.- Wazirganj, District-Gaya.

... .. Petitioner/s

Versus

The State of Bihar, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Vishwa Ranjan Choudhary, Adv.
For the Informant	:	Mr. Vibhuti Ranjan, Adv.
For the Opposite Party/s	:	Mr.Jagdhar Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 08-07-2024 Heard learned counsel for the petitioner and

learned counsel for the informant as well as learned A.P.P for

the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Wazirganj P.S. Case
No. 350 of 2023 dated 12.06.2023 registered for the offences
punishable u/ss 341, 324, 326, 307 read with section 34 of the
Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the
co-accused persons are alleged to have fired on the informant
due to that he sustained bullet injury.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. There is a delay of seven days in lodging the FIR. It is further submitted that as per the injury report, the injury is stated to be simple in nature. It is further submitted that the informant was convicted by the learned court below in connection with Excise No.- 2447 of 2023 (CIS No. 2447 of 2023) arising out of Sridalla P.S. Case No. 755 of 2022. No incriminating material was recovered from the conscious possession of the petitioner. The petitioner has two criminal antecedents which are not related to heinous nature of offence as stated in para 3 of the bail petition. The petitioner is in custody since 23.11.2023.

5. Learned counsel for the informant as well as learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Gaya in connection with Wazirganj P.S. Case No. 350 of 2023, with a condition/s:-



(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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