

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18045 of 2024

Arising Out of PS. Case No.-169 Year-2023 Thana- SHAMBHUGANJ District- Banka

Shubham Kumar Singh @ Shivam Kumar Singh, Male, aged about 21 years,
Son of Raju Singh, Resident of Village - Jangal Jhakhra, P.S.- Shambhuganj,
District - Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Rajendra Singh, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 14-03-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Shambhuganj PS Case No. 169 of 2023 instituted for the offences punishable under Section 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner gave money to the informant and said him to bring a packet of cigarette and when the informant refused to bring the packet of cigarette, then the petitioner fired gun-shot, which hit the left hand and *panjra* of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence and has falsely been implicated in this case. It is further submitted that neither Section 307 of the IPC nor Section 27 of the Arms Act is



made out in this case because it is not a case of gun-shot injury. It is stated that both the parties have entered into a compromise. Petitioner is in custody since 08.01.2024.

5. Learned APP opposes the prayer for bail.

6. From perusal of the FIR, injury report and impugned order of the learned Sessions Judge, Banka dated 03.02.2024, it appears that petitioner is named in the FIR. On perusal of the injury report available at page-15 of the petition that there is lacerated wound 1”x1/2” on left arm as well as lacerated wound 1”x1/2” on left side of chest may be caused by hard and blunt substance. From perusal of the certify copy of the joint compromise petition dated 31.10.2023 (Annexure-3), both parties entered into a compromise and compromise petition is already on record, accordingly the prayer for bail of the petitioner is allowed. Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Banka in connection with Shambhuganj PS Case No. 169 of 2023.

(Ramesh Chand Malviya, J)

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