

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18430 of 2024

Arising Out of PS. Case No.-123 Year-2004 Thana- SIMRI District- Buxar

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Bishawa Nut @ Visha Nat S/o Late Lulah Nut R/o Dulahpur, P.S. - Simari,
Distt. - Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pritish Kumar Lal, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 30-04-2024 Heard learned counsel for the petitioner and learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Simri
P.S. Case No. 123 of 2004 instituted for the offence under
Sections 324 & 307 of the Indian Penal Code and Section 27 of
the Arms Act.

3. Prosecution case in short is that petitioner has
entered into the house of the informant and has fired upon her,
due to which she caused injury on the left side of her head and
her right hand.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 19-10-2023. Petitioner bears ten criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Petitioner is the *dewar* of the informant. It is submitted that there is no eye witness to the occurrence. It is submitted that injury report does not support the prosecution case, as the injury is opined to be lacerated wound, but the allegation is of fire arm. It is lastly submitted that charge sheet has already been submitted in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that injury is found to be grievous in nature, which fact finds place in paragraph No. 46 of the case diary.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, **after framing of charge, if not already framed**, on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Simri P.S. Case
No. 123 of 2004.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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