

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24570 of 2024

Arising Out of PS. Case No.-179 Year-2022 Thana- BIHTA District- Patna

Akshay Kumar Singh @ Akshay Kumar son of Subhash Singh @ Badri
Narayan Singh Village- Amhara Ps- Bihta Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Santosh Kumar, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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

ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Bihta P.S. Case No. 179 of 2022, instituted for the offences punishable under Sections 341, 323, 504, 427, 379, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner along with co-accused person armed with pistol went to the house of the informant, started abusing and fired on the informant and his brother. On hearing the sound of firing, people assembled and both the accused persons fled away from the spot.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. Charge-sheet has been submitted in this case. No incriminating material has been recovered from the conscious possession of the petitioner. It is further submitted that there is neither any injury sustained by the informant and his brother nor there is any recovery of fire arm or empty cartridge. The petitioner is in custody since 03.07.2023 and has got two criminal antecedents in which the petitioner is on bail in one case.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bihta P.S. Case No. 179 of 2022.

(Rudra Prakash Mishra, J)

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