

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24373 of 2024

Arising Out of PS. Case No.-9 Year-2024 Thana- Bakhtiyarpur District- Patna

Satish Ray @ Satish Kumar, Son of Baiju Ray, R/o Village- Naya Tola,
Bariyarpur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate
	:	Mrs. Vaishnavi Singh, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

- 3 12-06-2024 1. Heard learned counsel appearing on behalf of the petitioner and learned APP appearing on behalf of the State.
2. The petitioner seeks bail in connection with Bakhtiyarpur P.S Case No. 09/2024 registered for the offence under Sections 307,34 of the Indian Penal Code and Section 27 of the Arms Act.
3. The petitioner is named in the F.I.R. and is in custody since 10.01.2024.
4. The allegation against the petitioner is to fire upon the informant/injured alongwith other co-accused persons, causing firearm injuries on his stomach, having



intention to cause death, where occurrence is alleged to be arises out of land dispute.

5. Learned counsel Mr. Ajay Kumar Thakur appearing on behalf of the petitioner submitted that the statement of informant/injured is different *qua* specific allegation of firing against petitioner as made during course of investigation. It is submitted that in FIR, the specific allegation of firing is available against this petitioner, whereas during the course of investigation, same is absent, where allegation of firing is appearing available as very much general and omnibus, without naming this petitioner. It is submitted that in view of aforesaid major contradictions in statements of injured/informant, it is sufficient to suggest that petitioner falsely implicated with present case in the background of the land dispute. While concluding the argument, it is pointed out that petitioner is a man of clean antecedent, and moreover, investigation of this case is completed, for which charge-sheet has been



submitted, as such, there is now no chance of tampering with the evidence.

6. Learned APP opposes the prayer of bail.

7. Considering the facts and circumstances as mentioned above and in view of taking contradictory statement of informant/injured as discussed above coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 10.01.2024, accordingly, petitioner above named, is directed to be released on bail in connection with Bakhtiyarpur P.S. Case no. 09 of 2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M 3rd Barh Patna, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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