

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24137 of 2024

Arising Out of PS. Case No.-760 Year-2023 Thana- MADHAURAH District- Saran

Bahira Rai @ Kabilesh Kumar Rai @ Kabilaksh Kumar Ray S/O Late
Dindayal Ray R/O Village- Siswa, P.S- Madhaurah (O.P. Gaura), Distt.-
Saran.

... .. Petitioner/S

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Jha
For the Opposite Party/s : Mr.Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA
ORAL ORDER

2 08-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Madhaurah P.S. Case No. 760 of 2023 instituted for the offences
punishable under Sections 341, 324, 307, 447, 379/34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. The allegation against the petitioner is of firing upon
the informant and the other co-accused persons and also
assaulted them by means of iron rod and stick.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case. He
further submitted that the allegation against the petitioner is of
firing upon the informant but no fire-arms injury was found on



the person of the informant. There is no specific overt act of assaulting against the petitioner. Charge-sheet has been submitted in this case. The petitioner is in custody since 17.12.2023 and has no criminal antecedent.

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, nature of injury as well as 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/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Madhaurah P.S. Case No. 760 of 2023.

(Rudra Prakash Mishra, J)

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