

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26817 of 2024**

Arising Out of PS. Case No.-218 Year-2023 Thana- MEDNI CHAUKI District- Lakhisarai

Ravish Kumar Son of Ranjeet Pasawan Resident of Village- Jhapani, Ps-
Medni Chowki, Dist- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

2 09-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Medni Chowki P.S. case No. 218 of 2023 instituted for the offences under Sections 307/326 of the Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case, in short, is that this petitioner fired on the head of the brother of the informant due to which he sustained injuries. It is further alleged that the petitioner also fired on Azad Kumar and Vikash Kumar due to which they also sustained injuries.



4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case at the instance of his enemies. Learned counsel further submitted that on perusal of the injury report, it appears that all the three injured persons sustained injuries but the same have been caused by hard and blunt substance and, in fact, there is no any bullet or firearm injury and this clearly falsifies the manner in which the occurrence took place. He further submitted that as there is no firearm injury, Section 27 of the Arms Act is not made out against the petitioner. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.12.2023 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that injury sustained by the brother of the informant is grievous in nature. Learned APP for the State, therefore, urges that considering the nature of injury sustained by the injured and heinous nature of offence, this petitioner may not be released on bail.

6. Considering the aforesaid facts and circumstances of the case, specific allegation against the petitioner and the nature and gravity of offence, I am not inclined to grant bail to



the petitioner.

7. Prayer is rejected.

8. However, liberty is given to the petitioner to renew his prayer for bail after framing of charge before the concerned trial Court and the learned trial Court shall consider the same without being prejudiced by this order.

(Rudra Prakash Mishra, J)

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