

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28048 of 2024

Arising Out of PS. Case No.-267 Year-2023 Thana- GOPALPUR District- Patna

Kishan Kumar @ Krishna Kumar aged about 36 years, Male, Son Of
Vishwanath Prasad @ Vishwanath Yadav Resident Of Village - Ilahibagh, P.S.
- Gopalpur, District – Patna.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Chandrashekhar Prasad, Advocate
For the Informant	:	Mr. Ram Naresh Ray, A.P.P.
For the Opposite Party	:	Mrs. Madhuri Lata, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 11-07-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gopalpur P.S Case No. 267 of 2023 dated 03.05.2023 registered for the offence punishable u/ss 341, 323, 307 and 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, when the informant was returning home after his duty then the petitioner and the other accused person are alleged to have abused and assaulted him with a belt. It is further alleged that the petitioner fired on him in which one bullet hit the left side of the chest



(*pakhura*) due to which he sustained injury. The injured was taken to the hospital for treatment.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is made accused in this case due to dirty village politics and as per the injury report, the injury is simple in nature. The co-accused person has already been granted bail by this Court vide order dated 06.12.2023 passed in Criminal Miscellaneous No. 74669 of 2023. The petitioner has one criminal antecedent in which he has already been acquitted as stated in para 3 of the bail petition. The petitioner is in custody since 04.01.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the bail petition of the petitioner and submitted that the specific allegation of firing is against the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Patna in connection with Gopalpur P.S Case No. 267



of 2023, with the condition ;-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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