

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33176 of 2024

Arising Out of PS. Case No.-366 Year-2018 Thana- RIVILGANJ District- Saran

MANTU KUMAR @ MANTU RAI @ MANTU KUMAR RAI SON OF
SIPAH RAI RESIDENT OF VILLAGE - JOKHUA, P.S. - REVILGANJ,
DISTRICT - SARAN AT CHAPRA (BIHAR)

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Adv

For the Opposite Party/s : Mrs.Sharda Kumari, APP

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

ORAL ORDER

2 08-05-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with
Ravilganj P.S. Case No. 366 of 2018 dated 26.11.2018
registered for the offences punishable under Sections 341, 307,
384, 504 & 34 of the I.P.C and Section 27 of the Arms Act.

3. As per prosecution case, in brief, on 22.11.2018
while the informant was at his fertilizer shop, one Lalin Rai and
his brother (petitioner) came and demanded fertilizer and seeds
as *Rangdari*. When the informant objected to the same, Lalin
Rai and his brother (petitioner) started to abuse him and the
Lalin Rai caught hold of his hand and brother (petitioner) of
Lalin Rai with intention to kill fired on the informant which hit



his forehead and he fell down.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel for the petitioner submits that from paragraph-13 of the case diary, which is the injury report of the informant, it is evident that the informant has received one charred lacerated wound of size 1 1/2" x 1/2" x scalp deep at the middle part of forehead caused by fire-arm and the nature of injury is simple in nature. Learned counsel next submits that the petitioner has one criminal antecedent and he is in custody since 23.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner submitting that there is specific allegation against the petitioner of firing on the informant. However, the injury is said to be simple in nature caused by firearm.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody and the injury is said to be simple in nature, 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 Judicial Magistrate- 1st Class,



Saran at Chapra, in connection with Ravilganj P.S. Case No. 366
of 2018 with the following 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 bonds of the petitioner are
liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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