

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32496 of 2024

Arising Out of PS. Case No.-1037 Year-2023 Thana- BIHTA District- Patna

Niraj Singh son of Late Brij Mohan Singh Resident of Village- Bindaul, P.S.-
Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Anand, Adv.

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

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

ORAL ORDER

2 06-05-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Bihta
P.S. Case No. 1037 of 2023 instituted for the offences under
Sections 147, 148, 149, 307, 504, 506 of the Indian Penal Code
and Section 27 of the Arms Act.

3. As per prosecution case, the allegation against the
accused persons including the petitioner is of firing with a
country made pistol upon the Informant but, he escaped
narrowly. Two empty cartridges were also alleged to have been
recovered from the place of occurrence.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case due to dirty village politics. The allegation made against the petitioner is not specific rather the same is general and omnibus in nature. The petitioner has no concern with the alleged occurrence. Learned counsel for the petitioner further submits that actually the Informant of this case is an accused in Bihta P.S. Case No. 777 of 2016 in which the petitioner is the witness and has also been issued B/W for recording of the evidence and, due to that reason, the petitioner has been falsely implicated in the present case. The petitioner has altogether six criminal antecedents and is languishing in judicial custody since 08.03.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner submitting that there is specific allegation of firing against the petitioner and two empty cartridges were also recovered from the place of occurrence. From the impugned order, it further appears that the CDR and Tower location shows that the petitioner was present at the time of alleged occurrence.

6. Having considered the entire facts and circumstances of the case as also taking into account the period



of custody of the petitioner and the nature of allegation, let the petitioner, abovenamed, be released on bail, *after framing of charge if not already framed*, 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 Bihta P.S. Case No. 1037 of 2023.

(Rudra Prakash Mishra, J)

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