

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35444 of 2024

Arising Out of PS. Case No.-201 Year-2023 Thana- SAHAR District- Bhojpur

Mantu Rai @ Mantu Kumar Rai Son of Late Sachidanand Rai @ Sachita
Nand Rai Resident of Village- Karwasin , P.S- Sahar , Dist- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Samrendra Jha, Advocate
For the Opposite Party/s	:	Mr.Umanath Mishra, APP
For the Informant	:	Mr. Raju Kumar Singh, Adv

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

ORAL ORDER

5 25-09-2024 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 Sahar P.S. Case No. 201/2023 dated 26.12.2023 registered for the offence punishable u/s 341, 323, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, when the informant was engaged in worshiping, in the meantime, the petitioner came on his motorcycle and started abusing his brother. Thereafter, the petitioner fired on his brother, which hit the informant's stomach due to which 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 has submitted that the petitioner has no intention or motive behind the alleged occurrence. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 31.01.2024

5. Learned A.P.P. for the State learned counsel for the informant have vehemently opposed the bail petition of the petitioner by submitting that the specific allegation of firing is against the petitioner. As per the injury report, the injury is grievous in nature.

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, Bhojpur at Ara in connection with Sahar P.S. Case No. 201/2023, 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.



(ii). If the petitioner is found involved in similar nature of offence in the future, the prosecution will be at liberty to move for cancellation of his bail bond.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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