

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40718 of 2024

Arising Out of PS. Case No.-32 Year-2024 Thana- GHOSI District- Jehanabad

Dhirendra Kumar Son of Late Bijay Sharma R/O Vill.- Purushottampur, P.S.-
Ghoshi (Okari O.P.), Dist.- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

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

ORAL ORDER

3 31-07-2024 Heard learned counsel for the petitioner, learned APP
for the State and perused the case diary.

2. The petitioner seeks bail in connection with Ghoshi
(Okari O.P.) P.S. Case No. 32 of 2024 instituted for the offences
under Sections 307, 504 of the Indian Penal Code and Section
27 of the Arms Act.

3. It is alleged that this petitioner fired on the right leg
of the informant, as a result of which he sustained injury.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that, as per the allegation as
alleged in the FIR, this petitioner fired on the right leg of the
informant due to which he sustained injuries but in support of



the same, no any injury report is available on record which raises serious doubt over the prosecution case. Learned counsel further contended that during course of investigation no any blood was found at the place of occurrence. Learned counsel further contended that on perusal of the FIR, it is evident that petitioner had no any intention to commit murder of the informant and, therefore, no case under Section 307 is made out against him. It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.01.2024 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. Learned counsel further submitted that several witnesses have supported the case of the prosecution and, therefore, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case and the material available on record, the fact that no any injury report is available on record in support of the allegation against the petitioner and the period of custody undergone by the petitioner coupled with the fact that the petitioner is a man of clean antecedent, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail 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 Ghoshi (Okari O.P.) P.S. Case No. 32 of 2024, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Alok Verma/-

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