

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42601 of 2024

Arising Out of PS. Case No.-102 Year-2023 Thana- BADHAILA District- Rohtas

Sunil Kumar Son of Baban Singh R/O Vill.- Karan, P.S.- Baghaila, Dist.-
Rohtas At Sasaram

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Chhote Lal Mishra, Advocate

For the Opposite Party/s : Md. Mushtaque Alam, APP

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

ORAL ORDER

3 24-10-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in S.Tr. No. 97 of 2024,
arising out of Baghaila P.S. Case No. 102 of 2023, instituted for
the offences punishable under Section 307 of the Indian Penal
Code and Section 27 of the Arms Act.

3. The prosecution case, in short, is that, the petitioner
fired upon the brother of the informant with an intention to kill
him due to which he sustained fire arm injury on chest.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No
incriminating material has been recovered from the conscious



possession of the petitioner. Learned counsel for the petitioner also submits that the petitioner has not fired any fire arm upon the brother of the informant. It is further submitted that no recovery of pistol has been made from the possession of the petitioner. The petitioner is in custody since 29.11.2023 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, 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/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with S.Tr. No. 97 of 2024, arising out of Baghaila P.S. Case No. 102 of 2023, 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)

Rajorshi/-

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