

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43397 of 2024

Arising Out of PS. Case No.-48 Year-2024 Thana- KASMA District- Aurangabad

1. Rahul Kumar son of Pintu singh Village- Matuk Bigha Ps- Guraru Dist- Gaya
2. Ritesh Singh @ Ritesh Kumar @ Ritesh Kumar Singh son of Deep Singh Village- Phulel Bigha Ps- Salaiya Dist- Aurangabad
3. Golu Singh @ Golu Kumar @ Golu Kumar Singh son of Rana Singh Village- Chiraila Ps- Kasma Dist- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukul Kumari

For the Opposite Party/s : Mr.Mithlesh Kumar Khare

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 02-07-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Kasma P.S. Case No. 48 of 2024 dated 03.04.2024 registered for the offence/s punishable u/ss 341, 342, 363, 323, 307, 504, 506 read with section 34 of the Indian Penal Code and section 27 of the Arms Act.

3. As per the prosecution case, the informant went to Khaira Firoj Village with Dhanjay Kumar to attend Shree Rudra Mahayagya where the petitioner no. 3, Golu Singh along with his 8 other accomplice came there on a motorcycle



and started abusing him. It is further alleged that the petitioners, Rahul Kumar and Golu Singh forced him to sit on their motorcycle with intention to kidnap and all the accused persons started assaulting him with fists and slaps as a result of which he fell down on the ground, in the meantime, the petitioner no. 3 took out his pistol and fired on the informant but the bullet did not fire. Thereafter, the member of Puja Samiti reached there then the accused persons started fleeing away. Police was informed about the incident. Four miscreants along with the petitioners on two motorcycles were apprehended and one country made pistol and two live cartridges were recovered from the bush.

4. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. It is further submitted that no one sustained fire arm injury. As per the injury report of the injured, the injuries are simple in nature caused by hard and blunt object and the injuries are on the non vital part of the body. No incriminating material has been recovered from the conscious possession of the petitioners. The petitioner no. 1 and 2 have clean antecedent and the petitioner no. 3 is accused in one criminal case as stated in para 3 of the bail petition. The



petitioners are in custody since 04.04.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioners and stated that there is specific allegation of firing against the petitioner no. 3, Golu Singh.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Aurangabad in connection with Kasma P.S. Case No. 48 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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