

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42816 of 2024

Arising Out of PS. Case No.-73 Year-2024 Thana- GOGRI District- Khagaria

Kanhaiya Kumar Son of Late Haribol Yadav R/O Vill.- Bhuriya Diyara,
Katghara, P.S.- Gogri, Dist.- Khagaria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amresh Kr. Singh, Adv.
Mr. Abhishek, Adv.
For the Opposite Party/s : Mr. Umanath Mishra, APP
For the Informant/s : Mr. Piyush Saurav, Adv.
Mr. Santosh Kr. Mishra, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 15-07-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Gogri P.S. Case No. 73 of 2024 dated 23.02.2024 registered for the offences punishable u/ss 341, 448, 307, 504, 506 & 34 of the Indian Penal Code read with Section 27 of the Arms Act.

3. As per the prosecution case, at the instance of the petitioner and Kanchan Devi, the co-accused along with other miscreants fired on the mother and sister of the informant, but they saved.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in

this case. The petitioner is named in the FIR. The specific allegation of firing is against the co-accused. Nothing has been recovered from the conscious possession of the petitioner. The petitioner is already in custody at the time of alleged occurrence. There is no injury caused to the informant's side, as per the injury report. The petitioner has five antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 08.06.2023 .

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and general and omnibus allegation, 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, Khagaria in connection with Gogri P.S. Case No. 73 of 2024 with a 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 cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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