

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44355 of 2024

Arising Out of PS. Case No.-123 Year-2024 Thana- KHAGAUL District- Patna

Mohit Raj @ Ashok Son of Late Vijoy Kumar Singh @ Vijoy Kumar @ Vijay
Kumar Singh Resident of Village - Purainia, P.S. - Neora, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Jitender Kumar, Adv.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 03-07-2024 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail, who is in custody
in connection with Khagaul P.S. Case No. 123 of 2024
registered for the offences punishable under Sections 309 and
504 of the Indian Penal Code and Sections 25(1-B)(a), 26 and
27 of the Arms Act.

3. Allegedly on the alleged date and time of
occurrence, while the informant was on his duty and his son was
leaving for Patna, in the meantime, the informant's son-in-law
came there and started abusing them with filthy language and
took out a country made pistol saying that he would shoot
himself in order to implicate the informant and his son. On



getting information, when the informant reached to his house, his son-in-law sprinted away. Subsequently, the informant's son-in-law again came there and hit on his leg taking out a gun from his waist. In the meantime, police arrived there and apprehended the son-in-law of the informant along with the country made pistol and two live cartridges.

4. The learned counsel for the petitioner contended that admittedly the informant and the petitioner are father-in-law and son-in-law and the genesis of the present case was the love marriage of the petitioner with the informant's daughter as after the marriage some dispute has arisen on the instance of the informant. It is further contended that had it been the case that the petitioner wants to implicate the name of the informant, there were many other ways to implicate him and not by shooting himself or causing injury to himself. Conversely it is also argued that if a person wants to commit suicide then he may have shot on the vital part of his body and not on the leg. Be that as it may, the petitioner is a man of fair antecedent and he has remained in custody since 24.04.2024.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that the petitioner was apprehended by the police along with the country made



pistol and two live cartridges.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that both the informant and the petitioner are father-in-law and son-in-law; the occurrence took place in the premise of a dispute arose on account of love marriage of the petitioner with the informant's daughter, coupled with the fact that it is the petitioner who sustained injury himself and now the investigation of the crime is complete, let the petitioner, named above, be released on bail **after submission of the charge-sheet**, on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Danapur in connection with Khagaul P.S. Case No. 123 of 2024, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates



without any cogent reason, his bail bonds will liable to be cancelled.

(Harish Kumar, J)

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