

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49018 of 2024

Arising Out of PS. Case No.-232 Year-2023 Thana- MAHESHKHUNT District- Khagaria

Lalu Kumar Son of Late Dashrath Choudhary Resident of Village - Chhoti
Jhitkiya, Police Station - Mahesh Khunt, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vivekanand Singh, Adv.

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

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 07-08-2024 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 Mahesh Khunt P.S. Case No. 232 of 2023 dated 09.11.2023 registered for the offences punishable u/s 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, one unknown person is alleged to have tried to fire on the informant's father when he was sitting at the counter but the said firing failed.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired in this case in his



confessional statement. Learned counsel has further submitted that no one sustained firearm injury hence, no offence under section 307 is made out against the petitioner. The I.O. has submitted supplementary charge-sheet against the petitioner. No T.I.P. has been conducted by the prosecution. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has six criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 18.01.2024.

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 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 Mahesh Khunt P.S. Case No. 232 of 2023 with the 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 be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

Gautam/-

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