

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57067 of 2024

Arising Out of PS. Case No.-1022 Year-2023 Thana- CHAPRA MUFFASIL District- Saran

Santosh Kumar Singh Son of Late Jai Nath Singh R/O Vill.- Dahiyawan Tadi
Village, P.s.- Chapra Muffasil, Dist.- Saran.

... .. Petitioner/s

Versus

The State Of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bindhyachal Singh, Sr. Adv. Mr. Rajesh Roy, Adv. Miss. Nikita Mittal, Adv.
For the informant	:	Mr. Sujeet Kumar, Adv.
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP

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

ORAL ORDER

2 20-08-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Chapra Muffasil P.S. Case No. 1022 of 2023 dated 28.12.2023 registered for the offences punishable u/ss 307 read with Section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner is alleged to have fired on the informant which hit his left hip and the co-accused person also fired on the informant which hit his right hand. Thereafter, the accused persons fled away from the spot.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 25.12.2023 but the F.I.R. was lodged on 28.12.2023 and there is no explanation for this delay. Learned counsel has further submitted that the injury of the informant is stated to be grievous in nature but the allegation of firing against the petitioner is on the hip of the informant but as per the injury report of the informant, the injury was found on the shoulder. Nothing has been recovered from the conscious possession of the petitioner and the petitioner has no concern with the alleged offence. The petitioner has three criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 09.04.2024.

5. Learned A.P.P. for the State and learned counsel for the informant have 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, Saran in connection with Chapra Muffasil P.S. Case



No. 1022 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)

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