

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.56403 of 2024

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

Amar Kumar Son of Late Uma Yadav R/V- VILLAGE- LOHRA, P.S.-
KASMA, DISTT.- 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.Ram Sumiran Rai

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

ORAL ORDER

2 31-08-2024 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 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 co-accsed, Golu Singh along with his 8 other accomplice came there on a motorcycle and started abusing him. It is further alleged that the co-accused persons, 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 co-accused, Golu Singh 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 petitioner on two motorcycles were apprehended and one country made pistol and two live cartridges were recovered from the bush.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. It is further submitted that no one sustained firearm 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. The other co-accused person has already been granted bail by this court *vide* order dated 02.07.2024 passed in Cr. Misc. No. 43397/2024. The petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 04.04.2024.



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, 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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