

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60171 of 2024

Arising Out of PS. Case No.-1254 Year-2023 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Raja Singh @ Sudhir Singh @ Sudhir Kumar S/o Late Uma Shankar Singh
R/o Village Chak Ahamad, Bhikhanpura Dih, Word No 7, PS - Sadar, District
Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Samrendra Jha, Advocate

For the Opposite Party/s : Mr. Tarun Prasad Mandal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 11-12-2024

1. Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel appearing on behalf of
the informant.

2. The petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 307, 504 and 506/34 of
the Indian Penal Code as well as Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and is in custody
since 06.06.2024.

4. It is next submitted that from perusal of the
allegation as alleged in the FIR, it would manifest that the
informant alleges that on 23.12.2023 at about 08:00 p.m. his
daughter was talking with someone on phone when the
informant noticed that the petitioner is recording from his



mobile on which he asked his daughter to go inside the house saying that the petitioner is recording her call on which his daughter said that why the petitioner is after their life when they have no concern with him. Thereafter, the petitioner started abusing when the son of the informant came from the market and on hearing the hulla he went to the house of the petitioner to ask as to why he abuses his mother, father and sister. Thereafter, the petitioner came to the house of the informant with a pistol and fired causing injury to the son of the informant.

5. Learned counsel for the petitioner submits that petitioner and the informant are own brothers and they are having dispute relating to property but then from perusal of the allegation as alleged in the FIR, it would manifest that the informant for reason best known has deliberately concealed his relationship with the petitioner. It is further submitted that son of the petitioner died few years ago and now he has a daughter only who is also bed ridden as would manifest from the treatment being meted out to the daughter of the petitioner by the doctors (Annexure-4 series). It is next submitted that since petitioner now only has a daughter as such the informant is trying to grab his property. It is also submitted that no doubt an altercation had taken place on account of dispute relating to



property and the petitioner was carrying his licensed weapon which the informant and his side tried to snatch and while protecting the arm the gun fired causing injury. It is further submitted that the act was not intentional but then the manner in which the FIR has been instituted it gives an impression that the informant was trying to create an impression as if a neighbour was trying to act inappropriately with his daughter and on protest an altercation took place leading to the occurrence. It is next submitted that charge-sheet has been submitted as such no useful purpose would be served by keeping the petitioner in jail. It is also submitted that petitioner will not abscond rather will cooperate in the trial to prove his innocence.

6. Learned A.P.P. for the State and the learned counsel appearing on behalf of the informant opposed the prayer for regular bail of the petitioner but then the learned counsel appearing on behalf of the informant is not in a position to rebut the submission of the learned counsel appearing on behalf of the petitioner that petitioner and the informant are own brothers.

7. Considering the aforesaid submissions, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of



learned Court below where the case is pending in connection
with Sadar (Muzaffarpur) P.S. Case No. 1254 of 2023.

(Satyavrat Verma, J)

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