

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61256 of 2024

Arising Out of PS. Case No.-314 Year-2024 Thana- RAMKRISHNANAGAR District- Patna

Sunil Kumar, son of Kapildeo Singh, aged about 36 years, male, resident of
village -Ramkrishna Nagar, PS -RamKrishna Nagar, District -Patna
... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bishwajeet Singh, Advocate
For the Opposite Party/s : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 17-12-2024 Heard learned counsel for the petitioner, learned
Additional Public Prosecutor for the State as well as learned
counsel for the informant, who has appeared *suo motu*.

2. The petitioner apprehends arrest in connection with
Ramkrishna Nagar PS Case No.314 of 2024 dated 26.04.2024,
instituted under Sections 341, 323, 324, 325, 307, 427, 379,
504/34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. There is specific allegation against Suraj Yadav,
Sunil Kumar and Niranjana Kumar of assaulting the informant on
the head of the informant by means of butt of the pistol. It is
further alleged that petitioner opened fire but none has sustained
any firearm injury.

4. Learned counsel for the petitioner submits that



there is case and counter case between the parties. Counter case i.e., Ramkrishna Nagar PS Case No.291 of 2024 has been lodged by the petitioner on 11.04.2024. Fard beyan of the present case has been lodged on 12.04.2024, which was registered on 26.04.2024. It is further submitted that the occurrence took place due to land dispute. Further submission is that the land, in question, was purchased by Sunita Devi, who is the wife of co-accused Viranjan Kumar, full brother of the petitioner. Further submission is that the injury report of the informant does not corroborate the allegation. There is no injury on the head of the informant. One injury is on thumb and two injuries are on little fingers. Civil dispute is going on between the parties. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. Learned APP as well as learned counsel for the informant have opposed the prayer for bail. Learned counsel for the informant submits that there is specific allegation against the petitioner of assaulting on the head of the informant.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon



furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class-15, Patna, in Ramkrishna Nagar PS Case No.314 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973.

7. The application stands allowed.

(Khatim Reza, J)

J. Alam/-

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