

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67181 of 2023

Arising Out of PS. Case No.-188 Year-2023 Thana- MOKAMAH District- Patna

MUKESH KUMAR @ GUDDU KUMAR son of Naresh Sahni @ Naresh Sahani Village- Mohanpur Ps- Mohanpur Dist- lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Ram Prasad

For the Opposite Party/s : Mr.Shailendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA

ORAL ORDER

5 04-04-2024 Heard learned counsel appearing on behalf of the parties.

2. The petitioner seeks bail in connection with Mokama P.S. Case No.188 of 2023 registered for the offence under Sections 341/323/307/34 of the Indian Penal Code and Section 27(1-b)a/26 of the Arms Act.

3. Allegation against the petitioner is to have assaulted the son-in-law of the informant with the butt of the country made pistol along with other co-accused persons.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner has falsely been implicated in the present case, where, petitioner was arrested on spot but the present FIR has been lodged against unknown persons. It is submitted that allegedly one country made pistol



along with 5 live cartridges have been from the possession of the petitioner by the private person and thereafter same was produced before the police. It is also submitted that nothing has been recovered from the conscious physical possession of the petitioner. It is submitted that no firearm injury was found upon the body of the son-in-law of the informant. It is further submitted that petitioner is a man of clean antecedent and he is in custody since 01.06.2023.

5. Learned APP appearing for the State, opposes the prayer for bail of the petitioner.

6. Considering the facts and circumstances and submissions made on behalf of the petitioner and as it appears from perusal of entire case diary that no injury was found upon the body of the son-in-law of the informant, let the petitioner, above named, is directed to be released on bail in connection with Mokama P.S. Case No.188 of 2023 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Barh, Patna.

(Ramesh Chand Malviya, J)

S.Katyayan/-

U		T	
---	--	---	--

