

Arising Out of PS. Case No.-346 Year-2024 Thana- CHAPRA TOWN District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vindhyachal Singh, Sr. Adv Mr. Vipin Kumar Singh, Adv.
For the Opposite Party/s	:	Mr. Ram Sevak Choudhary, APP
For the Informant	:	Mr. Bashishta Narayan Mishra, Adv. Mr. Avinash Raj, Adv.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 20-12-2024 1. Heard learned Senior counsel for the petitioner Mr. Vindhyachal Singh, learned A.P.P. for the State and the learned counsel appearing on behalf of the informant.

2. The petitioner seeks bail in a case registered for the offence punishable under Section 147, 148, 149, 307, 302, 120(B) and 34 of the Indian Penal Code & Section 27 Arms Act.

3. Learned Senior counsel for the petitioner submits that petitioner has antecedent of three cases and is in custody since 21.05.2024 and charge sheet has been submitted. It is next submitted that from perusal of the allegation, as alleged in the F.I.R, it would manifest that informant is not an eyewitness to the occurrence, as he himself has stated in the F.I.R. that the



accused persons fled away when they saw that informant along with others are coming towards the place of occurrence on hearing the sound of firing. It is next submitted that the allegation in the F.I.R. against this petitioner is of causing firearm injury to Manoj Rai. It is further submitted that the entire occurrence, as alleged in the F.I.R. took place at Bhikhari chowk but from perusal of the statement of Manoj Rai recorded at para-105 of the case diary, it would manifest that he has stated that this petitioner was firing from a terrace causing firearm injury near his temple.

4. The learned Senior counsel thus submits that it absolutely does not stand to reason that when entire occurrence took place at Bhikhari chowk then how come it is being alleged that petitioner was firing from a terrace. It is further submitted that from perusal of the injury report of Manoj Rai, at page-105 of the case diary, it would manifest that same does not record that Manoj Rai had suffered firearm injury, which amply demonstrates the falsity of the allegation. It is further submitted that the allegation is purely political as the occurrence is alleged to have taken place in the recently concluded Lok Sabha election.

5. Learned A.P.P. and the learned counsel appearing



on behalf of the informant opposes the prayer for bail of the petitioner but then the learned counsel appering on behalf of the informant is not in a position to rebut the submission of the learned Senior counsel appearing on behalf of the petitioner that the injury report of Manoj Rai does not record that he received any firearm injury.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Town P.S. Case No.346/2024.

7. Further, one of the bailors of the petitioner shall be his father, namely, Devi Singh @ Devendra Singh.

8. However, the if the learned trial court comes to a conclusion that petitioner after his release is trying to delay the trial in any manner, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner.

(Satyavrat Verma, J)

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