

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68448 of 2024

Arising Out of PS. Case No.-788 Year-2023 Thana- SONEPUR District- Saran

SANTOSH RAI S/o- HARIBANSH RAI Village- Rahar Diyara Ps- Sonpur
Dist- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Soni Shrivstava, Adv. Mr. Ganesh Prasad Singh, Adv.
For the Opposite Party/s	:	Ms. Madhuri Lata, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 3 20-12-2024 1. Heard learned counsel for the petitioner and learned A.P.P. for the State along with learned counsel appearing on behalf of the informant.
2. The petitioner seeks bail in a case registered for the offence punishable under Section 341, 323, 452, 307, 379, 504, 506 and 34 of the Indian Penal Code.
3. Learned counsel for the petitioner submits that petitioner has antecedent of one case and is in custody since 18.07.2024. The learned counsel further submits that there is specific allegation against the petitioner of causing firearm injury to the injured, who was treated at P.M.C.H. The learned counsel next submits that petitioner had earlier moved this court seeking anticipatory bail by filing Cr. Misc. No. 84167/2023 and



the same came to be rejected by an order dated 12.02.2024, on the ground that a submission was made on behalf of the injured i.e. the informant that cartridge till date has not been taken out from the body of the injured, for the reason that the doctors are of the opinion that in the event if the cartridge is taken out from the body that may cause paralysis to the informant. The learned counsel submits that the said submission was taken into consideration by this court, while rejecting the anticipatory bail application of the petitioner. It is next submitted that the instant regular bail application was taken out on 13.12.2024 and the learned counsel appearing on behalf of the informant had sought time for bringing on record the opinion of the doctor, based on which, earlier submission was made that the cartridge cannot be taken out from the body, as it may lead to paralysis but then it is submitted that the said submission was made without any foundational fact rather the injury report of the injured recorded that injured suffered simple firearm injury. It is also submitted that petitioner and the informant are related and the petitioner is nephew of the informant and they are having dispute relating to property.

4. Learned counsel appearing on behalf of the informant submits that no doctor is ready to give in writing



about the said medical condition of the injured, on which, the learned counsel appearing on behalf of the petitioner submits that the said submission on the earlier occasion was made only for getting the anticipatory bail of the petitioner rejected. It is further submitted that petitioner is in custody since 18.07.2024.

5. 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.10,000/- (Rupees ten 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 Sonpur P.S. Case No.788/2023.

6. However, 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)

amit/-

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

