

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70667 of 2024

Arising Out of PS. Case No.-293 Year-2024 Thana- DIGHA District- Patna

Raushan Kumar S/O Late Ganesh Rai @ Ganesh Ray Resident of Patipul
Road, Pathar Gali, P.S-Digha, District-Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, A.P.P.

Mr. Mohammad Minnatullah, Advocate

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 22-11-2024 1. Heard learned counsel for the petitioner, Mr. Chandra Bhushan Prasad 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 307/34 and 120B of the Indian Penal Code and Section 27 of the Arms Act.

3. Learned counsel for the petitioner submits that petitioner is a person with clean antecedent and the informant alleges that on 15.05.2024, while he was returning home from his shop at 08.50 p.m. when he was intercepted by seven named accused persons including the petitioner and the accused started firing but he managed to escape and thereafter raised alarm when villagers gathered as such the accused fled leaving their auto and motorcycles. It is next alleged that the reason for the



occurrence is that on 10.03.2018 his father was killed by Sunny and Nakat (father of Sunny) for not giving extortion and they are in jail and informant is a witness in the case, as such, attempt was made on his life.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that petitioner is a person with clean antecedent and is languishing in custody since 01.07.2024. It is also submitted that though there is allegation of indiscriminate firing by the accused persons but then from perusal of the allegation as alleged in the FIR, it would manifest that informant did not receive any firearm injury. It is submitted that it may be a ploy of the informant to implicate the petitioner.

5. Learned counsel appearing on behalf the informant vehemently opposes the prayer for regular bail of the petitioner and submits that there is allegation of firing against all the accused persons including the petitioner but then fairly submits that informant did not receive any firearm injury.

6. Learned A.P.P. for the State is present.

7. After hearing the learned counsel for the parties and taking into consideration the fact that petitioner is a person with clean antecedent and the informant did not receive any



firearm injury, 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 Digha P.S. Case No. 293 of 2024.

8. One of the bailors of the petitioner shall be his mother, namely, Anita Devi.

(Satyavrat Verma, J)

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