

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71957 of 2024**

Arising Out of PS. Case No.-208 Year-2023 Thana- KAMTAUL District- Darbhanga

Rajesh Kumar Son of Ram Balak Thakur R/o- Ratanpur, P.S.- Ratanpur
Abhiman, Dist.- Darbhanga, Bihar, 847307.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vishal Vikram Rana, Adv.

Mr. Misha Bharti, Adv.

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Kamtaul P.S. Case No. 208 of 2023 dated 20.09.2023, lodged
under Sections 399, 402, 307, 120B and 201 of the I.P.C read
with Section 27 of the Arms Act.

3. As per the prosecution case, total five persons were
made accused in this case including the present petitioner who
have been injured by gun-shot by the other co-accused.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He submits
that the antecedent of the petitioner is clean and he is in custody
since 24.07.2024. He further submits that the case has been
lodged under Sections 399, 402, 307, 120B and 201 of the I.P.C.
read with Section 27 of the Arms Act but from bare reading of



the F.I.R., it becomes clear that nothing has been recovered from the possession of the petitioner. None of the ingredients made in the F.I.R. constitute against the present petitioner. He is basically the victim of this case. He further submits that other four co-accused of this case have been granted bail by this Court vide order dated 20.02.2024, 01.05.2024, 20.07.2024 and 04.09.2024 passed in Cr. Misc. No. 9348 of 2024, Cr. Misc. No. 26099 of 2024, Cr. Misc. No. 45919 of 2024 and Cr. Misc. No. 63532 of 2024 respectively.

5. Learned A.P.P. for the State opposes the prayer for bail and submits that it is true that petitioner is injured in this case, therefore, his name has been inserted in the F.I.R.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs. 30,000/- (Rupees Thirty Thousand Only) with two sureties of the like amount each to the satisfaction of learned C.J.M., Darbhanga in connection with Kamtaul P.S. Case No. 208 of 2023, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

(Dr. Anshuman, J.)

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