

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77144 of 2024**

Arising Out of PS. Case No.-243 Year-2024 Thana- ARA NAGAR District- Bhojpur

Uttam Kumar S/O Ratan Kumar Resident of Muhalla- Shital tola, P.S.- Ara
Nagar, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Adv.

For the Opposite Party/s : Mr.Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

2 26-10-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Ara
Nagar P.S. Case No. 243 of 2024 instituted for the offences
under Sections 341, 504, 307/34 of the Indian Penal Code
and Section 27 of the Arms Act.

3. As per prosecution case, the petitioner opened
fire upon the Informant but, it missed and the Informant
survived. It is alleged that during enquiry, the police has
recovered one used cartridge from the place of occurrence.

4. Learned counsel for the petitioner submits that



the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to previous enmity. He submits that in the entire occurrence, no one sustained injury. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner or from his house. There is a non-compliance of Section 100 of the Cr.P.C. which creates a serious doubt in the prosecution case. The petitioner has three criminal antecedents and is languishing in judicial custody since 15.04.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction



of Court below/concerned Court in connection with Ara
Nagar P.S. Case No. 243 of 2024.

(Rudra Prakash Mishra, J)

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