

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84160 of 2023

Arising Out of PS. Case No.-538 Year-2023 Thana- DANAPUR District- Patna

Rauni Kumar @ Golu Son of Laleshwar Rai @ Laleshwar Ray R/o- Behind
Math Sultanpur, P.S.- Danapur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ghanshyam Tiwary

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 05-01-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner has prayed for bail in a case registered for the offence punishable under Sections 341, 342, 323, 307, 506, 504 and 120(B) of the Indian Penal Code and Sections 25(1-b), 26 and 35 of the Arms Act.

3. As per allegation in the FIR, while the informant was sitting under the mango tree, outside the office of Biral Fly Bricks Factory, in the meantime three accused persons including the petitioner came to the informant and petitioner told to the informant that he has become the partner of Arun and Bunty @ Karan Kumar in Raidon Company from today and other two partners have sent him to the informant. During the conversation, the petitioner told to the informant to come inside



the office and when the informant went inside the office he found that one person namely Manish came there and shut the door from outside and rest two persons started to beat and threaten the informant. The petitioner took out the katta and tried to fire with intention to kill him but the informant strongly opposed against petitioner and Chandan and in course of defending himself the informant's thumb got injured. When the informant's driver raised hulla then the informant's brother and staff came and opened the door. After that criminals started to fleeing away. Co-accused Manish Kumar fled away by blue colour vehicle No. 7390 and left his black Thar vehicle no. BR-01FB-0633 and petitioner also fled away. But Chandan Kumar got caught and from his pocket, 10 live cartridge and one katta recovered which was snatched by the informant from the petitioner.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. The specific allegation of assault against the co-accused Chandan Kumar. The allegation against the petitioner is of snatching the pistol which causes injury on thumb of the informant which is not vital part of the body. Nothing



incriminating article has been recovered from his conscious possession. It is further submitted that the petitioner suo moto surrendered on 09.08.2023 and since then, he is languishing in judicial custody.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant and submitted that one country made pistol was recovered and a vehicle also seized along with some documents which belongs to the petitioner .

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail **after framing of charge**. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Danapur (Patna) in connection with Danapur P.S. Case No. 538 of 2023.

(Sunil Kumar Panwar, J)

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