

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5595 of 2025

Arising Out of PS. Case No.-80 Year-2024 Thana- PHENHARA District- East Champaran

Randhir Kumar @ Piyush Kumar Singh Son of Upendra Singh Resident of
Village- Madhurapur, P.S. - Phenhara, District - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suraj Kumar, Adv.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 15-02-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. In the present case, the petitioner seeks bail in connection with Phenhara P.S. Case No. 80 of 2024, registered for the offences under Section 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and a masked co-accused person fired upon the informant who fell down. Second shot was also fired but the same missed the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner was not present at the place of occurrence during the relevant time. There is no



specific allegation against the petitioner for firing upon the informant. The informant and the petitioner are residents of same village and on account of previous enmity the present FIR was lodged. The injury report does not show any fire arm injury though a lacerated wound on forehead of size 1x.5x.5 cm and pain and swelling on the forehead was found, the injury is stated to be of hard blunt object. Therefore, injury report does not corroborate the allegation made by the informant. Petitioner is in custody since 13.11.2024 after surrender and charge sheet has been submitted. The petitioner is having antecedent of two cases. Learned counsel further submits that petitioner is on bail in both the cases.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner. Learned A.P.P. submits that there is specific allegation against the petitioner and a masked co-accused person of firing upon the informant.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the fact that injury does not corroborate the allegation and also considering submission of charge sheet against the petitioner, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each



with two sureties of the like amount each to the satisfaction of learned J.M.F.C., Motihari East Champaran/concerned court, in connection with Phenhara P.S. Case No. 80 of 2024, subject to the condition laid down under Section 437(3) of the code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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