

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8600 of 2025

Arising Out of PS. Case No.-11 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Mithun Kumar S/o Late Vyas Ray Resident of Village- Ratanpura, Bintoliya,
PS- Chapra Muffasil, District- Saran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anjani Parashar, Advocate
For the Opposite Party/s : Mr. Rajendra Singh, A.P.P

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 28-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chapra (Muffasil) P.S. Case No. 11 of 2024 lodged on
05.01.2024, for the offence punishable under Sections 307 & 34
of the Indian Penal Code and section 27 of the Arms Act.

3. The allegation in the First Information Report is
that six persons came on two motorcycles and resorted to
indiscriminate firing upon the informant due to which, he got
injured. It has also been alleged that the informant identified
two out of those six persons, one being the petitioner and the
other is co-accused namely, Anil Mahto. Further, it has been
alleged that the petitioner fired at informant's stomach while,
co-accused Anil Mahto fired at his arm.



4. Learned counsel for the petitioner submits that as against the allegation of indiscriminate firing by six persons, the informant has sustained three injuries and as a matter of fact, the allegation against the petitioner that he fired in the stomach of the informant, does not stand corroborated by the injury report which shows three entry wounds, one at the right side of the chest, second at the right side of posterior auxiliary line and third at the right arm. It is further submitted that the petitioner was actually not one of the assailants and he has been implicated as an accused since, there is a land dispute and a title suit is pending between the parties which has been annexed as Annexure-3 to the present application. It has also been submitted that the petitioner is in custody since 05.09.2024 and after submission of the charge-sheet, cognizance has been taken and the case has also been committed to the court of Sessions, however, the charges have not been framed as yet.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that petitioner has four criminal antecedents with regard to which, counsel for the petitioner submits that the petitioner is on bail in all the cases.

6. Taking into consideration the present facts and circumstances of the case, let the above named petitioner, 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 Judicial Magistrate 1st Class, Saran at Chapra, in connection with Chapra (Muffasil) P.S. Case No. 11 of 2024, subject to the further conditions that:-

(i) One of the bailors will be a family member/close relative.

(ii) The petitioner shall co-operate in the investigation/trial.

(iii) The petitioner would appear before the learned Court concerned on each and every date till the charges are framed and in case of absence on two consecutive dates without sufficient reasons, the learned Court concerned would be at liberty to cancel the bail bonds of the petitioner.

(Soni Shrivastava, J)

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