

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19811 of 2025

Arising Out of PS. Case No.-348 Year-2023 Thana- BHAGWANPUR District- Begusarai

Shivam Kumar Son of Late Yashvant Jha Resident of Village - Sanjat, P.S. -
Bhagwanpur, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rahul Singh, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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

ORAL ORDER

2 10-04-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 348 of 2023, instituted for the
offences punishable under Sections 341, 323, 504, 506, 307,
379, 34 of the Indian Penal Code and Section 27 of the Arms
Act.

3. The prosecution case, in short, is that, the petitioner
went to the door of the informant armed with pistol and told him
to leave the house and started abusing him. When the informant
objected, the petitioner caught his collar and started firing due to
which he sustained injuries.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. The petitioner is uncle of the informant. There is case and counter case between the parties. It is further submitted that as per injury report, it transpires that the injury received by the informant is simple in nature. The petitioner has surrendered on 18.12.2024 and has got one criminal antecedent in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, case and counter case between the parties and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhagwanpur P.S. Case No. 348 of 2023.

(Rudra Prakash Mishra, J)

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