

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77911 of 2024

Arising Out of PS. Case No.-55 Year-2024 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Mausam Kumar S/O Sudin Yadav Resident of Madhuban, Police Station-
Simri Bakhtiyarpur, Distt.- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr. Subesh Sharma, Adv.
For the Opposite Party/s : Mr. Ram Anurag Singh, APP

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 22-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Simri Bakhtiyarpur (B.K.P.) P.S. Case No. 55 of 2024, registered for the alleged offences under Sections 327, 307, 504, 506 of the Indian Penal Code and Section 27 of the Arms Act.

03. As per prosecution case, the petitioner fired upon the informant and his aunt, causing injuries to them. The occurrence took place in the background of previous dispute between the informant and the petitioner.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case out of grudge and malice. Both the parties are neighbours and there is previous enmity. From the FIR, it is clear that there was no intention to cause death of any person and the genesis of the occurrence was hot talk between the petitioner and the informant. The injuries of the victims are not serious though the injuries are stated to be grievous. The petitioner is in custody since 29.02.2024 and charge-sheet has been submitted. The petitioner is accused in two more cases and he is on bail in those cases.

05. Learned APP for the State opposes the prayer for bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to 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 learned Additional Sessions Judge-V, Saharsa in connection with Simri Bakhtiyarpur (B.K.P.) P.S. Case No. 55 of 2024 (S.T. No. 254 of 2024), subject to the conditions mentioned in Section 437(3) of the Cr.P.C. and the 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.
- (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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