

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79378 of 2024

Arising Out of PS. Case No.-320 Year-2023 Thana- KARPI District- Jehanabad

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Babloo Sharma S/o Late Dudheshwar Sharma R/o Village- Aiyara, P.S.-
Karpi, District- Arwal (Bihar)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pankaj Kumar Jha, Adv.

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

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 17-01-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Karpi P.S. Case No. 320 of 2023, G.R. No. 25/2024 dated 02.09.2023 registered for the offences punishable u/s 307 read with section 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, the petitioner and co-accused person along with one unknown miscreant holding pistol stopped the motorcycle of the informant and the petitioner, *Babloo Sharma* opened fire from his pistol which hit below the shoulder in the left side of chest due to which he sustained severe injury.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. As per the injury report of the informant, the informant sustained only one injury i.e. an Elliptical wound size of 1/2" x 1/2" deep to viscera on the left side of chest and the injury is grievous in nature. The co-accused person has already been granted regular bail by this court vide order dated 12.09.2024 passed in Cr. Misc. No. 62019 of 2024. The charge-sheet has been submitted against the petitioner. The petitioner has three criminal antecedents in which he is on bail as stated in para 3 of the bail petition. The petitioner is in custody since 16.07.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the specific allegation of firing is against the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the nature of allegation levelled against the petitioner and the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Arwal in connection with Karpi P.S. Case No. 320 of 2023



corresponding to G.R. No. 25/2024 with a condition/s:-

- (i). *The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.*
- (ii) *If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bonds.*

7. The application stands allowed.

(Chandra Prakash Singh, J)

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