

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82568 of 2024

Arising Out of PS. Case No.-243 Year-2024 Thana- NASRIGANJ District- Rohtas

Krishna Kumar Singh @ Krishna Jee Son of Radha Balabh Singh @ Bhikhari Singh @ Radha Balam Singh Resident of Village - Pokhraha, P.O - Lala Atimi, P.S - Nasriganj, District - Rohtas

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 24-01-2025 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 109(3)(5) of Bharatiya Nyaya Sanhita, 2023 and Section 27 of the Arms Act.

3. The case of the prosecution is that the informant and the petitioner are agnates and they are having land dispute. On the date of occurrence, the husband of the informant and her son were sitting at their Poultry Farm. At the time, the accused persons along with 2-3 others being armed with country made pistol arrived there. Shyam Bihari Singh and Radha Balan Singh started shouting and on their order Vijay Narayan Singh @ Jaicky, Krishna Kumar and Bashisth Narayan Singh opened fire



on the leg of the informant's husband due to which he received gunshot injury in his left leg.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent. It is further submitted that from perusal of the FIR, it is clear that the allegation of opening fire is on Vijay Narayan Singh @ Jaicky, Krishna Kumar and Bashisth Narayan Singh whereas the fire of Jaicky hit the leg of the informant's husband. There is specific allegation against Vijay Narayan Singh @ Jaicky who is not the petitioner. The allegation of firing against the petitioner is general and omnibus. Only the fire made by Jaicky hit the leg of the informant's husband. It is further submitted that the petitioner is languishing in judicial custody since 31.07.2024. Similarly situated other co-accused person has already been granted anticipatory bail by this Court vide order dated 11.12.2024 in Cr. Misc. No. 82942 of 2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Narsiganj P.S. Case No. 243



of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Sub Divisional Judicial Magistrate, Bikramganj, Rohtas.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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