

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84841 of 2024

Arising Out of PS. Case No.-291 Year-2024 Thana- RAMNAGAR District- West Champaran

Gulab Khan S/O Late Kabe Khan Resident of Village- Denmarwa, P.S.-
Ramnagar, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mayank Mohan, Adv.
For the Opposite Party/s	:	Mr. Ram Naresh Ray, APP
For the Informant	:	Mr. Abhitabh Kumar, Adv.

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

ORAL ORDER

3 27-02-2025 Heard learned counsel for the petitioner and learned
APP for the State as also learned counsel for the Informant.
Perused the case diary.

2. The petitioner seeks bail in connection with
Ramnagar P.S. Case No. 291 of 2024 instituted for the offences
under Sections 441, 323, 325, 354(B), 307, 379, 504, 506 and
34 of the India Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, the accusation against the
petitioner is of causing injury to the Informant's husband Angez
Kha on his left eye in association with co-accused Changez
Kha.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner or from his house. The petitioner was not present at the place of occurrence and not a single witness has whispered anything adverse against the petitioner. The present case is the counter blast to the Ramnagar P.S. Case No. 288 of 2024 which was filed by the co-accused against the present Informant. Both the parties are co-villagers. The specific and direct allegation of causing injury is on the co-accused Jafar Khan and Changez Khan. The allegation against the petitioner is of disrobing the Informant which is concocted and malicious allegation. From the injury report, it appears that the injury caused to the Informant's husband is simple in nature caused by hard and blunt substances and the opinion against the injury no.03 is reserved. The petitioner has no criminal antecedent and is languishing in judicial custody since 12.09.2024 without any rhymes or reason. The charge-sheet has been submitted against the petitioner under Sections 441, 323, 325, 307, 504, 506 and 34 of the India Penal Code.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of



bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. He further submits that the injury has been caused upon the vital part of the body which is grievous in nature and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, 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 Court below/concerned Court in connection with Ramnagar P.S. Case No. 291 of 2024.

(Rudra Prakash Mishra, J)

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