

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4066 of 2020

Arising Out of PS. Case No.-643 Year-2019 Thana- BEGUSARAI TOWN District- Begusarai

Debrath Kumar @ Debbrat Kumar Son of Rajkishor Singh @ Rajkishore Singh Resident of Village - Ramdiri, Nakti Tola, P.S.- Matihani, Dist.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-01-2020 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in **Town P.S. Case No. 643 of 2019**, registered for the offence punishable under Sections 341, 307 and 34 of the Indian Penal Code and section 27 of the Arms Act.

Allegation against the accused persons including this petitioner is that they fired upon the informant and one Bikrant Kumar while they were returning on a motorcycle. One of the shots hit right hand of the informant.

It is submitted by learned counsel appearing on behalf of petitioner that petitioner has falsely been implicated in this case. From the FIR, it appears that there is no specific allegation of firing against this petitioner. During course of investigation, Bikrant Kumar and the informant in his re-statement have stated



that it was the co-accused Akash who shot fire upon them. From the injury report, it appears that informant had sustained only one gun-shot injury at the right hand. Petitioner is in custody since 04.12.2019 having clean antecedent.

Considering the facts aforesaid, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Begusarai** in connection with **Town P.S. Case No. 643 of 2019**, subject to the following conditions:-

(i) The petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(ii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(Prabhat Kumar Singh, J)

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