

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26359 of 2020

Arising Out of PS. Case No.-379 Year-2018 Thana- TAJPUR District- Samastipur

RAUSHAN KUMAR Son of Late Lalit Singh Resident of Village- Harpur
Mukundpur, P.S.- Rajapkar, District- Vaishli at Hajipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Niranjana Parihar

For the Opposite Party/s : Mr.Yogendra Kr. Singh

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 13-10-2020

The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic.

Heard the learned counsel for the petitioner and Sri Yogendra Kr. Singh, the learned APP for the State.

The petitioner seeks regular bail in connection with Tajpur (Halai O.P.) PS case no. 379 of 2018 instituted for the offences punishable under Section 341, 323, 307, 504/34 of Indian Penal Code and 27 of Arms Act.

The allegation is regarding three unknown persons having intercepted the informant while he was ferrying plastic chair on his pick-up van and they had tried to snatch his vehicle, however on protest, the informant was assaulted and one person has also fired upon him from his pistol which had hit



him on his right shoulder causing injury to him.

The learned counsel for the petitioner has submitted that the petitioner is innocent and he has been falsely implicated in the present case. It is further submitted that though the petitioner is accused in one more case but he is on bail. The learned counsel for the petitioner has also submitted that the name of the petitioner has surfaced in the present case on account of confessional statement made by the co-accused person namely Prakash Kumar and the said co-accused person has already been granted bail. It is also submitted that neither any test identification parade has been held so as to connect the petitioner with the alleged occurrence nor the injury found on the person of the informant is grievous in nature. The petitioner is said to be languishing in custody since 05.03.2020.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the parties and taking into account the fact that the petitioner is in custody since 05.03.2020 and moreover, no. T.I. Parade has been held so as to connect the petitioner with the alleged crime, the abovenamed petitioner is directed to be released on



bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1st, Samastipur in connection with Tajpur (Halai O.P.) PS case no. 379 of 2018.

(Mohit Kumar Shah, J)

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