

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24726 of 2020

Arising Out of PS. Case No.-146 Year-2019 Thana- BEERPUR District- Begusarai

Chandan Kumar, S/o Manoj Kumar Singh @ Gonga, Resident of Village-
Sahuri, Ward No.05, P.S.-Birpur, District-Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Manoj Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 24-09-2020 Since as of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through video conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings from their homes, all with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for the State.

The petitioner seeks bail in connection with Birpur P.S. Case No.146 of 2019 registered for the offence punishable under Section 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The FIR alleges firing by three persons, including the



petitioner, in which two persons have sustained injuries.

It is submitted by the petitioner's counsel that the petitioner's firing has not caused any injury even as per the allegation in the F.I.R. and he is in custody since 03.01.2020 having no criminal antecedents. The injuries sustained by the two persons are on account of firing by other two co-accused, namely, Bambam Rai and Ram Sugia Paswan.

Learned counsel for the informant and learned APP for the State have opposed the prayer for bail. It is submitted that there is allegation of firing against the petitioner also.

Considering the rival submissions, this Court is inclined to allow the petitioner's prayer for bail.

Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-VI, Begusarai, in connection with Birpur P.S. Case No.146 of 2019, subject to the following conditions:

- (i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the court if there is any change in the address of the petitioner.



(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

This Court would expect that the petitioner’s counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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