

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27373 of 2020

Arising Out of PS. Case No.-37 Year-2020 Thana- NOORSARAI District- Nalanda

Sanjeev Chauhan @ Sanjiv Chauhan, Son of Laxman Chauhan @ Laxhan Chauhan, Resident of Village- Utara, P.S.- Chandi, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pramod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 19-10-2020 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.

Mr. Sanjay Kumar Pandey, learned APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General. His name may also be printed in the cause list.

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

The petitioner seeks bail in connection with Noorsarai



P.S. Case No.37 of 2020 registered for the offence punishable under Sections 341, 323, 307, 384, 386, 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

The allegation is that the miscreants, including the petitioner and other unknown persons, have arrived at the petrol pump to pressurize the owner for *Rangdari* tax.

Petitioner's counsel submits that causing of specific firearm injury has been attributed to Bhola Singh and Jhunnu Gope. It is further submitted that only allegation against the petitioner has been made that the petitioner along with 8-9 persons are part of an unlawful assembly and indulging in indiscriminate firing. Chargesheet has already been submitted. The petitioner has a clean past and is in custody since 03.02.2020.

Learned APP for the State has opposed the prayer for bail.

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 the learned Chief Judicial Magistrate, Nalanda at



Biharsharif, in connection with Noorsarai P.S. Case No.37 of 2020, 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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