

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16535 of 2021

Arising Out of PS. Case No.-641 Year-2020 Thana- SAHARSA SADAR District- Saharsa

DUSHYANT KUMAR @ GOLU SINGH SON OF SHASHI BHUSHAN
SINGH Resident of Village - Sant Nagar, Ward No.15, P.S.-Saharsa Sadar,
Distt.- Saharsa.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Dr. Anshuman, Adv

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

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 22-10-2021 Today being Friday, matters are being taken up
through virtual mode as per current procedure for hearing.

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

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

Petitioner seeks bail in connection with Saharsa
Sadar P.S. Case No. 641 of 2020 for the offences registered
under Sections 341, 307, 427, 506 and 34 of the Indian Penal
Code and Section 27 of the Arms Act.

Petitioner along with one co-accused Md. Anish



has allegedly fired upon the vehicle in which the informant was traveling.

Learned counsel for the petitioner submits that even as per allegation, nobody has sustained any fire-arm injury. There is no recovery of incriminating material from the possession of petitioner. The petitioner happens to be a student and on account of political affiliation he has been implicated in this case. Another case has also been lodged arising out of same occurrence, that is, Saharsa Sadar P.S. Case No. 641/2021. In the instant case he is in custody now since 28.8.2020. The similarly situated co-accused Md Anish has been allowed bail in Cr. Misc No. 34978/2021.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed. Let the petitioner above named 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 Chief Judicial Magistrate, Saharsa in Saharsa Sadar P.S. Case No. 641 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.

(Madhuresh Prasad, J)

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