

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24829 of 2021**

Arising Out of PS. Case No.-371 Year-2020 Thana- BAJPATI District- Sitamarhi

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Ganesh Kumar S/O Kishori Mahto R/o village- Mahuwa, Ward No. 14, P.S.-
Bathnaha, District- Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Hans Lal Kumar

For the Opposite Party/s : Mr. Umeshanand Pandit A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 26-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bajpatti P.S. Case No. 371 of 2020, registered for the offence under Sections 341, 307/34 of the I.P.C. and Sections 25(1-b)A, 26, 27, 35 of the Arms Act.

As per the prosecution case, while the informant was going to Sitamarhi on his 4-wheeler, four unknown miscreants on two motorcycles tried to stop a pick-up van, but the said pick-up van did not stop. Thereafter, they asked the informant to stop his vehicle, but the informant too did not stop his vehicle, as a result of which, one of the miscreant fired from his pistol, which hit the shoulder of the informant.

Petitioner is not named in the FIR. Name of the petitioner has come during course of investigation on the disclosure made by co-accused Ram Nath Kumar. No incriminating article has been recovered from the possession of



the petitioner and till date, T.I.P. has not been held. Petitioner is in custody since 10.12.2020.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner 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 S.D.J.M.(P), Sitamarhi in connection with Bajpatti P.S. Case No. 371 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

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

(Prabhat Kumar Singh, J.)

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