

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32942 of 2021

Arising Out of PS. Case No.-204 Year-2020 Thana- BARHIYA District- Lakhisarai

CHANDAN KUMAR @ TITU DHAMAKA SON OF BABAN SINGH R/O
VILLAGE- JAIPUR, P.S.- BARAHIYA, DISTRICT- LAKHISARAI.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Kumar Pandey, Mr. Mukesh Kumar, Advocates.
For the Opposite Party/s	:	Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 17-12-2021 Heard Mr. Bijay Kumar Pandey, learned counsel for the petitioner and Mr. Kumar Ranjit Ranjan, Additional Public Prosecutor for the State *via* video conferencing.

Petitioner seeks regular bail in connection with Barahiya PS Case No. 204/2020 registered for the offence punishable under Sections 147/148/149/307 and 120(B) of the IPC and Section 27 of the Arms Act.

The allegation is that the petitioner along with other accused persons, ten in number, allegedly fired upon the informant, who, somehow, saved his life.

Learned counsel for the petitioner submits that there is general and omnibus allegation of firing upon ten accused persons including the petitioner and the informant has not



received any injury due to the alleged firing. He next submits that FIR was lodged after delay of two days without any explanation. He also submits the similarly situated co-accused, namely, Baua Singh @ Suman Ranjan has already been granted regular bail by this Court *vide* Cr. Misc. No. 32224/2021.

Learned counsel next submits that petitioner is in custody since 16.09.2020, charge-sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence if he is released on bail.

Regards being had to the submissions made by the parties and taking into consideration the material on record and the fact that a similarly situated co-accused, Baua Singh @ Suman Ranjan has already been granted regular bail by this Court *vide* Cr. Misc. No. 32224/2021, petitioner is in custody since 16.09.2020, charge-sheet has already been submitted and there is no likelihood that the petitioner will abscond or tamper with the evidence, if he is released on bail and the informant has not received any gun-shot injury, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, CHANDAN KUMAR @ TITU DHAMAKA 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 Chief Judicial Magistrate, Lakhisarai in connection with Barahiya PS Case No. 204/2020, subject to the condition that the petitioner will be well represented on each and every date in the trial and if he fails to do so on two consecutive dates, his bail bonds will be liable to be cancelled.

(Anil Kumar Sinha, J)

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