

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44887 of 2021

Arising Out of PS. Case No.-58 Year-2021 Thana- SAHEBPUR KAMAL District- Begusarai

ROHIT KUMAR @ GOLU son of Bachandeo Choudhary @ Bachandev Choudhary Resident of Village - Jay Prakash Nagar, Ward no. 22, P.S. - Khagaria, District Khagaria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-12-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Sahebpur Kamal P.S. Case No. 58 of 2021 registered for the offences punishable under Sections 394, 307 of the IPC and Section 27 of the Arms Act.

According to prosecution case, three unknown persons after chasing the informant shot fire on him causing firearm injury to him.

Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. Learned counsel further submits that it appears from the FIR itself that petitioner is not named in the FIR. Name of the petitioner has been transpired on the basis of confessional statement of co-accused Mukesh Yadav @ Mukesh Kumar. Petitioner is in custody since 29.03.2021.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner carries one criminal antecedent.

Considering the aforesaid facts and circumstances as well as period of custody, 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, Begusarai in connection with Sahebpur Kamal P.S. Case No. 58 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court 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.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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