

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.4229 of 2021**

Arising Out of PS. Case No.-27 Year-2020 Thana- JALE District- Darbhanga

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VIJAY KUMAR SAHU@BIJAY KUMAR SAHU SON OF RAM PRIT  
SAHU RESIDENT OF VILLAGE KORAHYA, P.S JAYNAGAR,  
DISTRICT MADHUBANI

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Subhash Kumar Jha

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

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

4      17-06-2021                      This matter is taken up for consideration through  
  
Video Conferencing under the orders of Hon'ble the Chief  
  
Justice.

Heard both parties.

The petitioner seeks bail in Jale P.S. Case No. 27 of  
2020 corresponding to CRI Case No. 498 of 2020, registered for  
the offence punishable under Sections 342, 307, 34 of the Indian  
Penal Code and section 27 of the Arms Act.

As per the prosecution case, on 14.02.2020 at 6.00  
pm, while the informant and Md. Nurain were returning to their  
home on a motorcycle, on the way, three persons came on a bike  
and fired upon Md. Nurain which hit his hand. It is further  
alleged that the accused persons asked them to open the dickey



of bike, but they only found medicine and biscuit, thereafter, they fled away.

It is submitted on behalf of the petitioner that petitioner is not named in the FIR. During course of investigation, name of this petitioner has come in this case on the basis of confessional statement of co-accused Ashok Kumar. No incriminating article has been recovered from possession of this petitioner. No test identification parade has been held till date. The only material that has come against this petitioner that mobile of this petitioner was found at the place of occurrence. Petitioner is in custody since 08.07.2020.

Considering the fact that nothing has been recovered from conscious possession of this petitioner and till date TIP has not been held, the petitioner above-named, is directed to be enlarged 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 Additional Chief Judicial Magistrate Ist, Darbhanga in connection with Jale P.S. Case No. 27 of 2020 corresponding to CRI Case No. 498 of 2020, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

**(Prabhat Kumar Singh, J)**

vinita/-

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