

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3023 of 2021**

Arising Out of PS. Case No.-204 Year-2020 Thana- NARDIGANJ District- Nawada

Raushan Kumar @ Chamo Singh Son Of Vijay Singh Resident Of Village -
Handia, P.S. - Nardiganj, District - Nawada

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr.Amresh Kumar Sinha
For the Opposite Party/s :	Mr.Alok Kumar @ Alok Kumar Sahi
	Mr. Kumar Ranjit Ranjan, APP

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

5 06-08-2021 This matter is taken up for consideration through
Video Conferencing.

Heard both parties.

The petitioner seeks bail in Nardiganj P.S. Case No.
204 of 2020, registered for the offence punishable under
Sections 307, 323 and other allied sections of the Indian Penal
Code and section 27 of the Arms Act.

As per the prosecution case, on 07.09.2020 at 6.30
pm, petitioner along with three co-accused came at the business
premises M/s Rani Honda of informant and demanded ransom
of Rs. 50,000/-. On protest, all the accused persons abused,
threatened him and fled away. Again after two hours they came
back and started abusing the informant and when informant
came outside he saw that they were damaging the signboard of



the company and when the informant protested, they attacked him by pelting stones and started firing in the air. Informant went to the police station and informed the police, police came and inquired. Again on 08.09.2020 at 5.30 pm, all the accused persons including petitioner came and attacked with Farsa and they entered inside the show room by making firing. Co-accused Golu fired upon the wife of informant causing firearm injuries in her thigh and below the right knee, as a result of which she became severely injured. Co-accused Vivek Kumar alias Chhotu armed with Farsa and petitioner armed with pistol was making firing. All the accused persons entered into the show-room, broken glass and also damaged laptop, computer, printer, inverter and fans and they also took away cash of Rs. 1,50,000/-.

It is submitted on behalf of the petitioner that specific allegation of firing is against co-accused Golu. So far as this petitioner is concerned, he is only alleged to have one of the persons who demanded Rangdari. In para 3 of the petition, it is stated that petitioner is accused in one more case bearing Nawada PS Case No. 319 of 2016 under Section 420/379 of IPC, in which he is on bail. Petitioner is in custody since 10.09.2020.



However, counsel for the informant vehemently opposed the bail application and submitted that earlier vide order dated 15.03.2021 and 16.06.2021 report regarding criminal antecedent was called for and the same has been received vide letter no. 497 dated 17.07.2021 from the Superintendent of Police, Nawada (kept at flag 'Y') and letter of the SHO, Nawada is also attached. From perusal of letter, it appears that petitioner is accused in one more case bearing Nardiganj PS Case No. 19 of 2018 registered under Section 37(b) of the Bihar Prohibition and Excise Act, 2016 and the report of the SHO Nawada is not correct.

Considering the facts and circumstances of the case, 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 Judicial Magistrate Ist Class, Nawada in connection with Nardiganj P.S. Case No. 204 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)

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