

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12289 of 2022

Arising Out of PS. Case No.-40 Year-2021 Thana- PANDARAK District- Patna

RAJ KUMAR @ HAUWA Son of Bharat Prasad @ Bharat Yadav, Resident
of Village - Bampur, P.S.- Pandarak, Dist.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Premchandra Yadav, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 06-07-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks regular bail in connection with
Pandarak P.S. Case No. 40 of 2021 lodged under Sections 302,
120(B)/34 of the Indian Penal Code read with Section 27 of the
Arms Act.

Petitioner is not named in the F.I.R. As per the
allegations made in the F.I.R. the specific allegation is upon
Sanjay Kumar, who attacked by gun on the body of the
informant's father, who subsequently died. The order giver was
Siyaram in this case.

Learned counsel for the petitioner submits that there
are in total eight accused persons in this case. The petitioner and
informant belongs to same village but his name was not

disclosed in the F.I.R. by the informant and on the confessional statement of the co-accused Mukesh and Arun, his name has figured in this case. The counsel for the petitioner further submits that one of the named accused, namely, Ravi Kumar has been granted bail by the Co-ordinate Bench of this Court vide order dated 16.06.2022 passed in Cr. Misc. No. 11747 of 2022. He further submits that petitioner is in custody since 05.11.2021. Charge sheet has already been filed and petitioner has one criminal antecedent in which he is on bail.

Learned A.P.P. has opposed the prayer for bail.

Considering the facts of the case that charge sheet has already been filed in this case and petitioner is in custody since 05.11.2021, let the petitioner above named, be granted bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-Ist, Barh in connection with Pandarak P.S. Case No. 40 of 2021. Subject to the condition that one of the bailors shall be near relative of petitioner.

Petitioner is also directed to file an undertaking that he shall not involve in such types of activities in future before trial court at the time of furnishing his bail bond.

The prosecution is at liberty to file cancellation of

bail, in case the petitioner violates his undertaking.

(Dr. Anshuman, J.)

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