

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13712 of 2022

Arising Out of PS. Case No.-29 Year-2014 Thana- ATRI District- Gaya

CHINTU RAM @ CHINTU KUMAR, S/o Late Gulabchand Ram Resident
of Village- Teusa, P.S.- Atri, District- Gaya, at present resident of
Bakhtiyarpur, P.S.- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar

For the Opposite Party/s : Mr. Abhay Kumar Roy

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Atri
P.S. Case No. 29 of 2014, registered for the offences
punishable under Sections 147, 148, 149, 302 and 120(B)
of the Indian Penal Code.

As per allegation, when the informant and her
family members were sitting at the door, the petitioner and
his associates came there and assaulted the informant and
her husband. On the order of one Prakash Ram, one of the
accused persons, namely, Arun Ram opened fire which hit
the husband of the informant, due to which he died.



The learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that there is no specific allegation of assault against the petitioner. He also submits that out of total 11 accused persons, 9 have been already been acquitted and one person, who was alleged to have directly assaulted the deceased, got convicted. It is further submitted that the petitioner was not present at the alleged place of occurrence, as on that day, he was in Surat (Gujarat) for earning his livelihood.

The petitioner is in custody since 27.07.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has not moved earlier before this Court for grant of anticipatory bail or regular bail.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer for bail.

Considering the facts and circumstances, the petitioner, above-named, is directed to be released on bail



on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. - VIII, Gaya, in connection with Atri P.S. Case No. 29 of 2014 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedent, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting satisfied that the



petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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