

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14730 of 2022

Arising Out of PS. Case No.-218 Year-2018 Thana- RAGHOPUR District- Supaul

Aditya Kumar S/o Late Vipin Chaudhary Resident of Dumari, P.S.- Raghapur,
District- Supaul

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Babu, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 27-09-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 324, 307, 504, 34
of Indian Penal Code and 27 of Arms Act.

According to prosecution case, one Manju Devi who
was Ward member has alleged that Mukhiya called her along
with her husband to sign a cheque of Rs. 5 lacs then her husband
said that earlier Rs. 7 lacs was withdrawn for panchayat work
which has not been executed, on account of which F.I.R. named
accused started assaulting her husband and petitioner fired upon
her husband.



Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that as per the F.I.R., there is direct allegation of firing upon the petitioner and the injury report of the doctor has found fire arms injury on the left fore arm of the victim. He further submits that in fact the petitioner is student and he is not living in the village and father of the petitioner was Mukhiya and due to local village dirty politics, the petitioner was made an accused in the present case. He further submits that almost all the accused persons have been granted bail by the Court below itself and the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 21.09.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 Court below where the case is pending in connection with Raghapur P.S. Case No. 218 of 2018, 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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