

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15580 of 2022**

Arising Out of PS. Case No.-93 Year-2021 Thana- BAKHTIYARPUR District- Patna

BAMBAM KUMAR @ BAMBAM @ BAMMA S/o Sukhu @ Sukhu Roy
R/o village- Ghoshwari, P.S.- Bakhtiyarpur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha, Advocate
For the Opposite Party/s : Mr. Ram Naresh Ray, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 11-07-2022 Heard learned counsel for the parties.

Let the defect(s), if any, as pointed out by the office
be removed within four weeks.

The petitioner is in judicial custody in connection
with Bakhtiyarpur P.S. Case No. 93 of 2021 for the offences
under Sections 147, 148, 149, 504 and 307 of the Indian Penal
Code and Section 25(1-b)a and 27 of the Arms Act.

As per the prosecution story, the allegation against the
petitioner is that he started abusing and resorted to firing. The
matter was immediately informed to the Bakhtiyarpur police
station and it is alleged that upon arrival of the police party, the
accused persons tried to flee away but were chased and in the
process while one of the accused was arrested and others
managed to flee away.



Learned counsel for the petitioner submits that even taking the entire allegation into account no case under Section 307 of the Indian Penal Code is made out. He further submits that he is in jail since 10.10.2021 (as stated in paragraph-9 of the bail application).

Taking into account the aforesaid facts, this Court is inclined to grant him the privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of like amount each to the satisfaction of Additional Chief Judicial Magistrate-III, Barh, Patna in connection with Bakhtiyarpur P.S. Case No. 93 of 2021, subject to the following conditions.

(i) one of the bailor should be the family member of the petitioner, who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or



threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Jagdish/-

U		T	
---	--	---	--

