

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17554 of 2022

Arising Out of PS. Case No.-337 Year-2021 Thana- BARAUNI District- Begusarai

Gulshan Kumar, S/o Nandan Choudhary R/o village- Sirajpur, P.S.- Parvatta,
District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raghvendra Kumar Singh, Adv.

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 26-07-2022

Heard learned counsel for the parties.

Let the defect(s) be removed within four weeks of the complete start of the physical Court in normal course.

The petitioner is in judicial custody in connection with Barauni P.S. Case No.337/2021 instituted under Sections 324, 384, 307 of the Indian Penal Code and Section 27 of the Act.

The allegation against the petitioner is that he along with one Priyanshu Kumar fired two bullets on him sustaining injury in his right thigh. He further submits that Gulshan Kumar had earlier demanded Rs.50,000/- from him and had threatened that if he do not pay at least Rs.4000/- he will be killed.

Learned counsel for the petitioner submits that they are known to each other and the allegation against him is exaggerated one. He further submits that there is only one injury



on the right thigh and by way of supplementary affidavit he has brought the injury report according to which the same is simple in nature. He acknowledges that only because he has criminal antecedent he finds in jail since 28.10.2021 (as stated in para-14 of the bail application).

Taking into account the aforesaid fact that the injury is simple in nature, charge-sheet stands submitted and the petitioner is in custody since 28.10.2021, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail bond of Rs.15,000/-(Rupees Fifteen Thousand) with two sureties of the like amount each in connection with Barauni P.S. Case No.337/2021 to the satisfaction of learned Chief Judicial Magistrate, Begusarai, subject to 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 cancellation of his bail by the Trial court itself;

(iii) the petitioner shall appear before the concerned



police station every month for next six months to mark his presence;

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

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Prakash Narayan /-

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