

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16097 of 2022**

Arising Out of PS. Case No.-458 Year-2021 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Gulshan Kumar S/O Nandan Chaudhary, Resident of village- Sirajpur, P.S.-
Parvatta, District- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr.Md. Shakir Ahmad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 29-08-2022 Heard Mr. Raghvendra Kumar Singh, learned counsel
appearing on behalf of the petitioner and Mr. Md. Shakir
Ahmad, learned A.P.P. for the State.

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

The petitioner seeks regular bail in connection with
Begusarai Muffasil P.S. Case No. 458 of 2021, for the offence
punishable under Sections 392 and 411 of the Indian Penal Code
and Section 27 of the Arms Act.

The prosecution case, in brief, is that on 06.09.2021,
while informant and his wife were returning to his house in the
meantime, three persons riding on Apache motorcycle overtook
him and fired upon him they also snatched ornaments of her
wife and a bag containing Rs. 1500/-, NIT Book, cloths and one



Samsung mobile.

Learned counsel appearing on behalf of the petitioner submits that the a search was conducted by the Police merely on the basis of suspicion that petitioner was involved in three other cases and upon search one loaded pistol along with four cartridges and Rs. 400/- recovered. The petitioner is in custody since 06.10.2021 and Chargesheet has already been submitted.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner and submitted that petitioner is involved in three other cases as mentioned in paragraph No.3 of the bail application, it would not be proper to release the petitioner on bail.

Having considered the rival submission of the learned counsel for the parties, taking into consideration the fact that petitioner has remained in custody since 06.10.2021 and Chargesheet has already been submitted and trial of the petitioner is not likely to be concluded in near future, without going into the merits of the case, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 25000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Muffasil



P.S. Case No. 458 of 2021, subject to the following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(5) The court below is directed to verify the criminal antecedent of the petitioner and if it is found that the petitioner is involved in some other cases as what has been stated in paragraph No.3 of the bail application, this order will automatically loose its force.

(6) The petitioner will make his attendance before the concerned Police Station under which his house is located every fortnight till conclusion of the trial and on any single default without any valid reasons on the part of the petitioner, his bail bonds shall be cancelled and the



**concerned SHO of the Police Station shall submit his
monthly attendance report to the Superintendent of Police
having jurisdiction.**

(Purnendu Singh, J)

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