

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.29541 of 2021**

Arising Out of PS. Case No.-128 Year-2019 Thana- KANHAULI District- Sitamarhi

SANT RAM Son of Late Anuplal Ram Resident of Village - Ramnagra, P.S.-  
Kanhauli, District - Sitamarhi (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Shankar Kumar, Adv.

For the Opposite Party/s : Mr. Parmanand Kumar, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

3      29-01-2022                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with  
Kanhauli P.S. Case No. 128 of 2019 registered for the offence  
under Sections 379, 457 and 307 of the Indian Penal Code  
and Section 25(1-b)a, 26, 35 and 27 of the Arms Act.

According to the prosecution, the daughter of the  
informant sustained firearm injury inflicted by one Dinesh  
Paswan while she was protesting the theft in her house.

Learned counsel appearing for the petitioner  
submits that the petitioner is innocent and has falsely been  
implicated in this case. In fact, the petitioner has not been  
named in the F.I.R. but on the basis of suspicion, petitioner



has been implicated in this case. So far as allegation of firing is concerned, it is apparent from the F.I.R. itself that firing has been made by the co-accused, Dinesh Paswan resultantlly, daughter of the informant sustained firearm injury at her left leg. The allegation of commission of theft is general and omnibus in nature. Nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner is rotting in judicial custody since 30.01.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries two more cases other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned A.C.J.M.-V, Sitamarhi in connection with Kanhauli P.S. Case No. 128 of 2019 with 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/her absence on two consecutive dates



without sufficient reason, his/her bail bond shall be canceled 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.

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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