

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20835 of 2022

Arising Out of PS. Case No.-357 Year-2021 Thana- BASANTPUR District- Siwan

Abhishek Kumar Son Of Umesh Sah R/O- Village- Jankinagar, P.S.-
Basantpur, District- Siwan

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Anil Chandra, Advocate.

For the Opposite Party/s : Mr. Arun Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 25-07-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Basantpur P.S. Case No. 357 of 2021 lodged under Sections
386, 387, 302, 34 I.P.C. read with Section 27 of the Arms Act.

The prosecution case is that, the uncle of the
informant was running a hotel, in the evening, 2 persons came
to the hotel and placed the order for food. Upon delivery of
meal, money was demanded then they become angry and one of
them ordered another to kill and then another person fired on the
chest of the informant due to which he fell down. It has been
specifically alleged in the F.I.R. that the food was ordered by the
petitioner alongwith Chandan Kumar, Nitish Kumar and Guddu
Kumar but order to fire was made by Guddu Kumar and

allegation of firing is upon Nitish Kumar.

Learned counsel for the petitioner submits that petitioner is innocent as he is a businessman and doing his business of cosmetic shop in the name and style of M/S Ritika Sringar at a nearby place. He also mentioned the fact that the alleged motorcycle belongs to co-accused Nitish Kumar from whose possession the recovery was made. He also submits that there is specific allegation against the Nitish Kumar to make fire upon the uncle of the informant. He further submits that petitioner is in custody since 21.08.2021, charge sheet has already been filed and the petitioner has no criminal antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.20,000/- (Rupees Twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Siwan, District Siwan in connection with Basantpur P.S. Case No. 357 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

The petitioner is directed to appear on each and every

date before the Trial Court, in case of non-appearance for two consecutive dates, shall resulted into cancellation of his bail bond. If he shall involve in such type of activities again, the prosecution shall be at liberty to move for cancellation of his bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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