

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23853 of 2022

Arising Out of PS. Case No.-99 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ravish Kumar@ Rabish Kumar Son Of Sanjay Chaudhary @ Sanjay
Choudhary R/O- Village- Machaha, Ward No.- 4, P.S.- Muffasil (SINGHAUL
O.P.), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam

For the Opposite Party/s : Mr. Dinesh Singh

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-08-2022 Heard Mr. Sandip Kumar Gautam, learned counsel

appearing on behalf of the petitioner and learned Additional

Public Prosecutor for the State.

Petitioner seeks bail in a case registered in connection
with Muffasil P.S.Case No. 99 of 2022 for the offences
punishable under Sections 341, 323, 307, 504/34 of the Indian
Penal Code and section 25(1-b) a, 26,27 of the Arms Act

As per the prosecution case, it is alleged that on
25.02.2022 while the informant was standing near the school,
three accused persons including the petitioner came there and
started abusing and on protest being made the co-accused Aman
Kumar and Ravish Kumar having armed with weapon shot fire
on the informant which touched waist of the left portion of the



informant. It is also alleged that the petitioner was caught by the local people along with pistol and cartridge.

Learned counsel appearing on behalf of the petitioner submits that from the FIR, it is evident that specific allegation of firing is attributed against co-accused Aman Kumar. So far the petitioner is concerned, it is alleged that he was only having armed in his hand. No overt act has been attributed against this petitioner. It is next submitted that from the impugned order, it appears that the informant has not sustained any injury as no material has come during the course of investigation. It is further submitted that this petitioner is in custody since 26.02.2022, having fair antecedent.

On the other hand, learned counsel for the state opposes the bail application and submits that petitioner was caught red handed along with arms.

Having regard to this submissions made on behalf of the parties and considering the fact that specific allegation of firing is made against co-accused Aman Kumar and so far as this petitioner is concerned, no specific overt act has been attributed against the petitioner. Moreover, petitioner is in custody since 26.02.2022 and the investigation of the crime is already completed and charge-sheet has been submitted, let the



petitioner, above named, be released on bail on furnishing bail bonds of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S.Case No. 99 of 2022 subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, their bail bonds will liable to be cancelled.

(Harish Kumar, J)

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