

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23863 of 2022

Arising Out of PS. Case No.-296 Year-2020 Thana- CHANPATIA District- West Champaran

Gulshan Kumar Son Of Late Pramod Sah Resident Of Village - Chanpatia,
Ward No.07, P.S.- Chanpatia, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajeet Kumar Bhardwaj, Advocate

For the Opposite Party/s : Mr.Umanath Mishra, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 02-08-2022 Let the defects, if any, be removed within four
weeks from today.

Heard Mr. Ajeet Kumar Bhardwaj, learned counsel for
the petitioners as well as learned Additional Public Prosecutor
for the State.

Petitioner seeks bail in a case registered in connection
with Chanpatia P.S.Case No. 296 of 2022 for the offences
punishable under Sections 341, 323, 307, 385,387/34 of the
Indian Penal Code.

As per the prosecution case, it is alleged that one
month prior to the alleged occurrence co-accused Abhyas Singh
had demanded Rs. 5 lacs and when it was protested, co-
accused along with other five unknown persons came on
motorcycle and car and co-accused Abhyas Singh opened fire



upon the informant which hit to the son of the informant causing injuries in his hand.

Learned counsel for the petitioner submits that petitioner is neither named in the FIR nor any material has come which suggest the complicity of the petitioner in the present crime. It is further submitted that there is specific allegation of demand of ransom by co-accused Abhyas Singh and so far as this petitioner is concerned, only because of past criminal antecedent his name has been implicated in this case. It is next submitted that the investigation of the crime is already been completed and the charge sheet has been submitted and this petitioner is in custody since 23.06.2021.

On the other hand, learned counsel for the State opposed the bail application and submits that the petitioner has found involved in two other cases.

Having heard the rival contentions of the parties and considering the fact that the name of the petitioner has transpired on the confessional statement of co-accused Abhyas Singh. Moreover, petitioner is in custody since 23.06.2021, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-



Divisional Judicial Magistrate 1st , Bettiah, West Champaran in connection with Chanpatia P.S.Case No. 296 of 2020 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.

(v) 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 cancelling 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.

N.K/-

(Harish Kumar, J)

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