

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37276 of 2021**

Arising Out of PS. Case No.-310 Year-2019 Thana- CHOUTARWA District-
West Champaran

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Sudama Bin Son of Late Bhagrasan Bin Resident of Village - Sera Bazar,
P.S. - Bathwariya, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner : Mr. Vijay Kr Singh No. 1, Advocate

For the State : Mr. Anil Kumar Singh No. 1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 13-04-2022 Let the defects, as pointed out by the office, be

removed within four weeks of starting of Court proceeding in

physical mode in normal course.

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered for the

offences punishable under Sections 341, 458, 307, 354/34 of the

Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, it is alleged by the informant

namely Matuman Bin that in the night of 16.11.2019 he along

with wife had slept in his courtyard. Petitioner and other

accused persons entered into his courtyard and one of them

removed his blanket. He woke up but co-accused Bijesh Bin

along with this petitioner opened fire with *katta* and causing



firearm injury. Other co-accused persons pressed mouth of his wife but any how raised alarm and his family members came there and accused persons fled away from there.

Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. Further submits that it appears from the F.I.R. that there is allegation against the petitioner that he fired upon the victim and the victim has sustained injury. Further submits that injury report of the victim suggest that injury is simple in nature and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 06.02.2021.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Chautarwa (Bathwariya) P.S. Case No. 310 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

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

(3) 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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