

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29776 of 2022

Arising Out of PS. Case No.-368 Year-2021 Thana- CHAPRA TOWN District- Saran

Vikrma Rai @ Vikram Ray Son Of Late Ram Badan Ray R/O- Vill- Purbi
Rouza, Ward No. 45, P.S.- Chapra Town, Dist.- Saran (Chapra)

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate

For the Opposite Party/s : Mr. Kumar Veerendra Narayan, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-08-2022 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 147, 148, 149, 341, 323, 447, 337, 307, 504 of the Indian Penal Code and Section 27 of the Arms Act.

Three accused persons along with some unknown miscreants arrived at the shop of the informant and started pelting stones, bricks etc. It has further been alleged that someone from the accused persons made open firing due to which one passerby namely, Ravi Kumar sustained firearm injury.



Learned counsel for the petitioner submits that the petitioner has clean antecedents and he has been falsely implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons including the petitioner. He further submits that injured person namely Ravi Kumar has filed a Complaint Case No. 2461 of 2021 in which he has categorically stated that co-accused namely Prince Kumar has opened fire upon Ravi Kumar and co-accuse persons namely Chulhan Rai has been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 25.07.2022 in Cr. Misc. No. 68784 of 2021, another co-accused person namely Laddu Rai has been granted bail by a Coordinate Bench of this Court vide order dated 23.05.2022 in Cr. Misc. No. 69495 of 2021. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 25.03.2022.

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 Chapra Town P.S. Case No. 368 of 2021, 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 antecedents, 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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