

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32147 of 2022

Arising Out of PS. Case No.-34 Year-2022 Thana- JAMUI District- Jamui

Raja Kumar @ Raja Babu Son Of Sadanand Rawat R/O Village- Amba,
Sirchand Nawada, P.S.- Jamui, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.K. Shahi, Sr. Advocate
		Mr. Rabi Bhushan, Advocate
For the Opposite Party/s	:	Mr. Shantanu Kumar, A.P.P.
For the Informant	:	Mr. Dinkar Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-09-2022 Heard learned counsel for the petitioner and learned
counsel for the Informant as well as learned Additional Public
Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 323, 324, 325, 326,
307, 506 of the Indian Penal Code.

According to prosecution case, on 28.01.2022 when
the informant was returning to his home in the way daughter of
Sadanand Rawat namely Soni Kumari came in the way and
stopped him. At same time there reached Sadanand Rawat, Raja
Kumar and Baban Kumar and surrounded the informant.



Sadanand Rawat fired over right side of the chest then the informant fallen on the ground. In such fallen situation accused Raja Kumar fired on informant and by that injured over his right arm. After this also accused Baban Kumar fired over informant but by chance informant got saved. In fallen condition Soni Kumar assaulted with bricks by which knee of informant got fractured.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that there is previous land dispute between the parties and earlier father of the petitioner namely Sadanand Rawat lodged Jamui P.S. Case No. 124 of 2021 against the informant and his men and the sister of the petitioner also filed a complaint case vide Complaint Case No. 441-C of 2021 against the present informant and his men. He further submits that it appears from the F.I.R. that there is allegation against the petitioner is that he fired upon the right side shoulder of the informant and petitioner and allegation against co-accused namely Sadanand Rawat who fired upon the chest of the informant. He further submits that the doctor found four injuries upon the informant in which two are fire arm injuries and the injury suggested lacerated wound on right side



of the shoulder. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 03.04.2022.

The learned counsel for the Informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries two criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Jamui P.S. Case No. 34 of 2022, subject to 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 witnesses, 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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