

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42696 of 2021

Arising Out of PS. Case No.-21 Year-2021 Thana- RAMKRISHNANAGAR District- Patna

SAUYRA RAJ @ NITISH KUMAR Son of Devendra Kumar @ Devendra
Rai Resident of Village - Domanchak, P.S.- Gopalpur, Distt.- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Gauri Shankar Prasad

For the Opposite Party/s : Mr.Anita Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 31-01-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

The petitioner, who is in custody since 05.02.2021,
seeks regular bail in connection with Ram Krishna Nagar P.S.
Case No. 21 of 2021, for the offence punishable under Sections
341, 342, 323 and 307/34 of the Indian Penal Code.

The prosecution case, in brief, is that petitioner
along with other co-accused in intention to kill the informant
fired upon him in which informant sustained injury.

Learned counsel appearing on behalf of the
petitioner submits that the petitioner having no criminal



antecedent and he was not even knowing about the present incidence. He further submits that, in fact, the petitioner name is Saurya Raj, however, the allegation has been made against one Nitish Kumar. The petitioner is a student and he has no connection with the alleged offence. However, petitioner has voluntarily surrendered before the Court below.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submitted that there is specific allegation against the petitioner that he assaulted the informant with firearm. He further submitted that although the injury suggests that the injury is simple in nature.

Considering the above mentioned facts and circumstances of the case, the Court below is directed to verify the name of the petitioner as well as the criminal antecedent of the petitioner and if it is found that the petitioner is not made accused in any other case as what has been stated in paragraph 03 of the bail application, the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M-cum-Sub-Judge-XIII, Patna in connection with Ram Krishna Nagar P.S. Case No. 21 of 2021, subject to the following conditions:-



(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

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

(4) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bonds.

(Purnendu Singh, J)

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