

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42264 of 2021

Arising Out of PS. Case No.-28 Year-2021 Thana- BAHADURPUR District- Darbhanga

Adarsh Raj, aged 22 years, male, S/O Shashi Ranjan Singh R/o village-
Godhiari, P.S.- Bishanpur, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Ranjan Pd. Singh, Adv.

For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in connection with Bahadurpur
P.S. Case No. 28 of 2021 registered for the offences punishable
under Sections 325, 326, 307 of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case, in short, is that on 12.01.2021,
the Informant and his relatives were celebrating birthday party
in Satfera Vibah Bhawan. In the meantime, the accused persons
came there with fire-arms and started firing in which the left leg
of the Informant got injured and he fell down on the earth
whereafter he was taken to D.M.C.H. for treatment. It is alleged
that the accused Aditya Bhagat and Mahesh Bhagat, one month
before the incident, had threatened him to face dire



consequences.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and has falsely been implicated in the present case. He further submits that the petitioner is not named in the F.I.R. Learned counsel for the petitioner submits that there is no allegation of firing against the petitioner rather the same is on the co-accused persons and nothing incriminating has been recovered from conscious possession of the petitioner. He further submits that the police after investigation submitted charge sheet against the petitioner and other accused persons. The petitioner is languishing in judicial custody since 01.03.2021.

Learned Additional Public Prosecutor has vehemently opposed the prayer for bail but, fairly submits that petitioner carries no criminal antecedent.

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 Chief Judicial Magistrate, Darbhanga in connection with Bahadurpur P.S. Case No. 28 of 2021, 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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