

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34343 of 2022

Arising Out of PS. Case No.-53 Year-2020 Thana- HATHIDAH District- Patna

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Raja Kumar @ Raja Mahto Son Of Baleshwar Mahto R/O Village- Simaria
Ghat Bindtoly, P.S.- Barauni (CHAKIYA O.P.), District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Braj Bhushan Poddar, Advocate

For the Opposite Party/s : Mr.Anil Prasad Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 12-09-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under Sections 324/307/34
IPC and 27 Arms Act in connection with Hatidah P.S. Case No.
53/2020.

As per the FIR, the informant has alleged that
while he was driving his car and coming from Bihat to Jamui,
as he reached Rajendra Bridge, Mukama, two accused persons
asked him to open the window and when he failed to oblige
them, they smashed the window and opened fire causing injury
in his arm. While fleeing, one of the accused persons named him
as Raja. Subsequently in course of investigation, the name of the



petitioner cropped up and as per the observation made by the learned Sessions Judge, Barh, the injury was found to be grievous.

Learned counsel for the petitioner submits that although he has been taken into custody, no T.I. Parade has been done and as such it cannot be said that he is innocent.

Be that as it may, the petitioner is in custody since 27.11.2020 (as stated in para-15 of the bail application) and charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail after framing of charges in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-IV, Barh in connection with P.S. Case No. 53 of 2020 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of



bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/Ajay Singh

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