

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34843 of 2022

Arising Out of PS. Case No.-729 Year-2021 Thana- NAGAR District- Vaishali

DILIP RAM, S/o Lalan Ram Resident of Village- Nawanagar, P.S.- Bidupur,
Distt- Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bela Singh, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 13-09-2022 Heard learned counsel for the petitioner and the
learned APP for the State.

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

The case is registered under Section 393 of the IPC
and 27 Arms Act in connection with Hajipur P.S. Case
No.729/2021.

As per the FIR, the informant has made his fardbeyan
from the hospital narrating the fact that while he was returning
he was intercepted by three accused persons who tried to snatch
his bag and when he resisted, one of them fired upon him,
causing injury on his waist. Later the local people assembled
and he was taken to the hospital. Accordingly the FIR was
lodged.

Learned counsel for the petitioner submits that he has



been remanded in this case on 27.01.2021 from Bidupur P.S. Case No.431 of 2021 and is custody since then despite the fact that nothing has been recovered from his conscious possession nor there is any specific allegation that who fired on the waist of the informant.

Per contra, learned APP submits that he has criminal antecedent and on resistance, there is allegation of firing also.

Be that as it may, the petitioner is in custody since 27.01.2021, charge-sheet stands submitted and nothing has been recovered from his conscious possession, this Court is inclined to grant him privilege of bail after framing of the charges in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail after framing of the charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Hajipur P.S. Case No.729/2021 to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur, subject to following conditions:

(i) one of the bailor should be the family member 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 reason will entail cancellation of his bail by the Trial court itself;

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

(iv) the petitioner shall desist from committing any criminal offence again 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)

Prakash Narayan /-

U		T	
---	--	---	--

