

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36804 of 2022

Arising Out of PS. Case No.-320 Year-2021 Thana- KARAHGAR District- Rohtas

DADAN SINGH Son of Late Ramayan Singh Resident of Village-Tenduni
Tola, P.S.-Kargahar (Barahari O.P.), District-Rohtas at Sasaram.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None

For the Opposite Party/s : Mr.Uma Shankar Prasad Singh

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-09-2022 No one appears on call.

The petitioner is in judicial custody in connection with Kargahar (Barahari O.P.) P.S. Case No. 320 of 2021 for the offences under Sections 147, 148, 149, 341, 323, 347, 348, 307, 504, 506 and 325 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution story, the informant alleged that while he was sitting at his door, the petitioner and other came variously armed and further one Awdhesh Kumar assaulted the informant by 'lathi' whereas this petitioner assaulted his cousin brother, Chandan Kumar by 'lathi' causing injury. Further allegation against Guddu Kumar is of assaulting his uncle, Gupteshwar and then one Ravi Ranjan brought rifle from his house and resorted to firing. When the



villagers came, they fled away.

As per the averment made in the FIR, the petitioner do not have criminal antecedent and as per the injury report the opinion regarding the assault on Chandan Kumar has been reserved and the other injuries have been shown as simple in nature. As per the further averment, he is in custody since 23.5.2022.

Considering all the aforesaid facts that he is in custody since 23.5.2022, he has no criminal antecedent, charge-sheet stands submitted and the opening of fire as also assault on the informant is alleged on the other accused persons, this Court is inclined to grant him the privilege of bail.

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 Judicial Magistrate, Sasaram, Rohtas, in connection with Kargahar (Barahari O.P.) P.S. Case No. 320 of 2021 subject to the 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) upon return to his district, he shall visit the concerned police station every fortnight for the next six months;

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/Ajay Singh

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