

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63473 of 2021

Arising Out of PS. Case No.-148 Year-2021 Thana- GOPALGANJ TOWN District-
Gopalganj

Chhotu Kumar Son of Krishna Manjhi Resident of Shyam Cinema Road, P.S.-
Gopalganj (Town), District - Gopalganj, Bihar

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Indrajeet Bhushan

For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 18-05-2022 Heard learned counsel for the petitioner and learned
counsel for the Informant as well as learned Additional Public
Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 326, 307/34 of the Indian
Penal Code and Section 27 of the Arms Act.

According to prosecution case, on 01.03.2021 one
Satyendra Kumar gave a written information to the officer-in-
charge of Gopalganj police station stating therein that on
12.02.2021 when he was at his home, then by making a phone
call, Chhotu Kumar, Golu Kumar and Raja Kumar called him
behind the Dhobi Ghat of Purani Chowk, Gopalganj. When he



reached there, they fired gun shot at him. Lastly he had prayed to severely punish the three accused persons, who had fired at him.

Learned counsel for the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case. He further submits that it appears from the F.I.R. that there is general and omnibus allegation against all the accused persons and there is no specific allegation against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 03.06.2021.

The learned counsel for the Informant as well as learned A.P.P. have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner had fired upon him and injury report suggest that the injury is grievous and petitioner carries two criminal antecedents other than the present one.

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 Court below where the case is pending in connection with Gopalganj



(Town) P.S. Case No. 148 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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