

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68592 of 2021

Arising Out of PS. Case No.-269 Year-2016 Thana- HAJIPUR SADAR District- Vaishali

GAUTAM KUMAR SINGH Son of Arun Kumar Singh Resident of Village -
Khanpur Pakri, Police Station - Bidupur, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate

For the Opposite Party/s : Mr. Rajeev Nanyan App, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 13-05-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned APP for the State.

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

Petitioner, who is in custody since 18.08.2021, seeks
regular bail in connection with Hajipur Sadar P.S. Case No. 269
of 2016 registered for offences punishable under Section 307 of
the Indian Penal Code and Section 27 of the Arms Act.

Prosecution story in brief is that three unknown
motorcycle borne miscreants opened fire 2-3 round causing
injury on the forehead of the informant, thereafter, they fled
away.

Learned counsel appearing on behalf of the petitioner



submits that petitioner is innocent and has falsely been implicated in the present case due to ulterior motive. Petitioner has not been put on T.I.P. till date. Name of the petitioner has surfaced on the basis of confessional statement of one co-accused Chandan Kumar who has been granted bail by a co-ordinate Bench of this Court vide order dated 10.07.2017 passed in Criminal Miscellaneous No. 29767 of 2017, Naresh Kumar has been granted bail by a co-ordinate Bench of this Court vide order dated 23.02.2017 passed in Criminal Miscellaneous No. 53292 of 2016, Pappu Rai has been granted bail vide order dated 12.04.2019 passed in Criminal Miscellaneous No. 5880 of 2017, Md. Imran has been granted bail vide order dated 25.04.2017 passed in Criminal Miscellaneous No. 18884 of 2017. Petitioner is in custody since 18.08.2021.

Learned A.P.P., for the State has opposed the prayer for grant of bail to the petitioner.

Considering the facts and circumstances of the case, the period of custody undergone by the petitioner and other co-accused persons have already been enlarged on bail, the petitioner, above named, is directed to be enlarged on bail upon furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the



satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Sadar P.S. Case No. 269 of 2016 subject to the following conditions:

(i) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(ii) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court.

(iii) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(iv) If the petitioner is found involved in similar nature of offence, after his release on bail, the trial Court shall take steps to cancel his bail bond.

(v) The Court below is directed to verify the criminal antecedent of the petitioner as stated in paragraph no. 3 of the bail application. If any other case is pending against the petitioner as what has been stated in paragraph no. 3, this order will loose its force automatically.

(vi) The petitioner will make his attendance before the concerned police station under which his house is located daily at 9 a.m. in the morning till conclusion of the trial and on any single default without any valid reasons on the part



of the petitioner, his bail bonds shall be cancelled and the concerned SHO of the police station shall submit his monthly attendance report to the Superintendent of Police having jurisdiction.

(Purnendu Singh, J)

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