

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.243 of 2022

Arising Out of PS. Case No.-140 Year-2021 Thana- BARAUNI District- Begusarai

Santosh Kumar @ Chuhba @ Santosh Bind S/o Birmani Bind @ Birmani
Mahto R/o village- Simariya Ghat, Bind Toli, P.S.- Barauni, District-
Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate

For the Opposite Party/s : Mr. Dinesh Singh, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 06-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Barauni (Chakiya) P.S. Case No. 140 of 2021 instituted for the
offences under Sections 307 and 34 of the Indian Penal Code
and read with Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is in custody since 01.09.2021, charge-sheet has been
submitted in the case and has antecedent of 8 cases.

Learned counsel for the petitioner submits that the
allegation in the F.I.R is that the informant along with her family
members were present at the time of incident and the accused
persons have come there and started firing with the intention to



kill them. Thereafter, all accused persons tried to brake the door of the informant's house and started firing upon her darwaza, window and her Scorpio vehicle resulting into damage of the vehicle and house. It is further submitted that petitioner is innocent and having no concern with the allegations and there is no specific allegation against the petitioner and it is also submitted that at the place of occurrence not a single empty cartridge has been recovered.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 01.09.2021, charge-sheet has been submitted in the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Barauni (Chakiya) P.S. Case No. 140 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/her absence on two consecutive dates without sufficient reason, his/her 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.

(Khatim Reza, J)

Gaurav Kumar/-

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