

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3765 of 2023

Arising Out of PS. Case No.-810 Year-2021 Thana- NAGAR District- Vaishali

ANUJ KUMAR @ GHARGHAR Son of Surendra Rai Resident of Village-
Minapur, P.S.- Hajipur Town, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 22-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
27.01.2022, in connection with Hajipur Town P.S. Case No. 810
of 2021, F.I.R. dated 10.10.2021 registered for the offences
punishable under Sections 307/34 of the Indian Penal Code and
Section 27 of the Arms Act.

Allegation against the petitioner is that he along with
other co-accused persons fired upon the informant causing hurt
on elbow and stomach and the informant fell down on the
ground then the accused persons fled away on motorcycle.

Learned counsel for the petitioner submits that the
petitioner carries one more case other than the present one and
he has been falsely implicated in the present case. He further



submits that due to previous dispute the present occurrence had taken place. He further submits that there is allegation against the petitioner and other co-accused person who fired upon the victim. He further submits on instruction that charge has been framed against the petitioner and the next date fixed in the trial on 19.07.2023 and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 27.01.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that there is specific and direct allegation against the petitioner that he had fired upon the victim and injury report also supports the allegation as alleged in the F.I.R.

Considering the facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Vaishali at Hajipur in connection with Hajipur Town P.S. Case No. 810 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 witness, 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 antecedents, 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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