

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.3057 of 2023**

Arising Out of PS. Case No.-228 Year-2022 Thana- TARARI District- Bhojpur

SANTOSH KUMAR Son of Late Siyaram Singh R/o West English P.S-  
Imadpur, Dist- Bhojpur State Bihar ... .. Petitioner/s

Versus

The State of Bihar ... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Brijendra Kumar

For the Opposite Party/s : Mr.Harendra Prasad

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR**  
**PANDEY**

ORAL ORDER

2      07-04-2023                      Heard learned counsel for the petitioner as well as learned  
APP for the State.

In this case, the petitioner is seeking regular bail in connection with Tarari P.S. Case No. 228 of 2022, registered for the offences punishable under Sections 341, 323, 307, 504, 506/34 of the Indian Penal Code and Section 27 of Arms Act.

As per allegation, co-accused Vijay Kumar, along with two unknown persons assaulted the informant with fists and slaps. He also fired shot, but the informant escaped. Thereafter, 8-9 persons came there on four motorcycles and they started firing. The petitioner was also amongst them. Some empty cartridges were recovered from the place of occurrence.

The learned counsel for the petitioner has submitted that there is no allegation on the petitioner to assault the informant, rather it is against co-accused Vijay Kumar. None has suffered fire arm injuries. The petitioner is a person of clean



antecedent and under custody since 24.11.2022.

Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-X, Bhojpur Ara in connection with Tarari P.S. Case No. 228 of 2022, subject to the following conditions:-

- (i) The petitioner shall cooperate in the disposal of trial and make himself available on each and every date of trial. In case of failure on two consecutive dates without any valid reason, the learned court below will be at liberty to cancel the bail bond of the petitioner.
- (ii) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.
- (iii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

**(Nawneet Kumar Pandey, J)**

Nirmal/Kundan

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