

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9436 of 2023

Arising Out of PS. Case No.-438 Year-2022 Thana- BARAUNI District- Begusarai

Chunchun Singh @ Satyajeet Son Of Parmanand Singh R/O Village- Bihat,
Khem Karanpur Tola, P.S.- Barauni, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Hare Krishna Prasad

For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 29-05-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with Barauni
P.S. Case No. 438 of 2022, registered for the offences
punishable under Section 120(B) and 307/34 of the IPC and
Section 25(1-b), 26, 27 and 35 of the Arms Act.

As per FIR, it is alleged that several accused
persons opened fire in which, several persons including the
informant received gunshot injury. The petitioner was not
named in the FIR. The name of the petitioner transpired in
the confessional statement of other co-accused persons.

Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner was not named in the FIR, his name transpired on the basis of confessional statement of other co-accused persons. It is further submitted that the other co-accused person, namely Sumit Kumar has been granted bail by a co-ordinate Bench of this Court, vide Cr. Misc. No. 21333 of 2023.

He further submits that the petitioner has been languishing in jail since 17.09.2022.

It has also been stated in paragraph no. 3 of the bail petition that earlier the petitioner is made accused in ten other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

However, learned APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in



the sum of ₹10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Begusarai, in connection with Barauni P.S. Case No. 438 of 2022, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has concealed his criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite



his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

Amrendra/-

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