

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11878 of 2023**

Arising Out of PS. Case No.-1358 Year-2021 Thana- NAWADA District- Nawada

AMAN KUMAR S/O SUJAY SINGH Resident of Village- Mirzapur, P.S. and District- Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr.Anil Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 13-07-2023 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 03.02.2022 in connection with Nawada Town P.S.Case No.1358 of 2021, corresponding to S.Tr.No.285 of 2022, F.I.R. dated 15.12.2021 registered for the offence punishable under Sections 307,323,341 read with 34 of IPC and Section 27 of Arms Act.

3. Allegation against the petitioner is that he fired upon the informant causing injury on his chest.

4. Learned counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Further submits that the allegation as alleged in



the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and as per FIR the petitioner has fired upon the informant causing injury on his chest. Further submits that although injury report suggests that the injury is grievous in nature caused by bullet but the petitioner has surrendered on 03.02.2022 and as per impugned order the charge has already been framed against the petitioner but the prosecution had not examined any witness and the petitioner is in custody since 03.02.2022.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries four more cases other than the present one, as mentioned in para-3 of the bail petition.

6. Considering the aforesaid facts and period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VIII, Nawada in connection with Nawada Town P.S.Case No.1358 of 2021, corresponding to S.Tr.No.285 of 2022, with the following conditions:-

(I) 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.

(II) 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.

(III) 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 antecedent, 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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