

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23291 of 2023

Arising Out of PS. Case No.-427 Year-2022 Thana- RAMKRISHNANAGAR District- Patna

Raja Kumar @ Kartikey Kumar Son Of Arjun Thakur @ Arjun Sharma R/O
Village- Ashochak, P.S.- Ramkrishna Nagar, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr.Advocate
	:	Mr.Kumar Rajdeep, Advocate
	:	Mrs. Diksha Kumar, Advocate
For the Opposite Party/s :	:	Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-07-2023 Heard Mr. N.K.Agrawal, learned senior counsel

appearing for the petitioner and the learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
06.10.2022 in connection with Ram Krishna Nagar P.S. Case
No. 427 of 2022, F.I.R. dated 16.08.2022 registered for the
offence punishable under Sections 147,148,149,324,307,384
of IPC and Section 27 of the Arms Act.

3. The prosecution case, in short, is that on
15.08.2022 at about 9.15 PM five unknown persons entered
into the Dhaba. They took biryani and went out of the shop.
Further alleged that one of them fired upon the informant and



another employee causing injury on their legs.

4. Learned senior counsel appearing for the petitioner submits that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner has been transpired during investigation and till date no TIP has been conducted by the prosecution and as per allegation in the FIR that the petitioner and other co-accused persons have fired upon the victim but did not clear from the FIR who fired upon the victim and the injury report of the informant suggests that the injury is simple in nature and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 06.10.2022.

5. Learned APP for the State, on the other hand, has opposed the prayer for bail of the petitioner on the ground that the petitioner carries one more case other than the present one but fairly submits that the petitioner is on bail in the said case, as mentioned in para-1 of the bail petition.

6. Considering the aforesaid facts, 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 Judicial Magistrate



1st Class, Patna in connection with Ram Krishna Nagar P.S.
Case No. 427 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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