

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21333 of 2023

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

Sumit Kumar Bhola Chaudhary Vill- Hajipur Pipra Ps Barauni Dist-
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shubhesh Pandey, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner has preferred this application for grant
of regular bail in connection with Barauni P.S Case No. 438 of
2022 dated 14.09.2022 registered for the offence punishable u/s
120B and 307 read with 34 of the Indian Penal Code and
Sections 25(1-B)a, 26, 27 and 35 of the Arms Act.

As per the prosecution case, the allegation against the
petitioner and the co-accused persons is of firing on public
indiscriminately due to which the informant sustained injury on



his knee of right leg.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused Sonu Kumar. No T.I.P has been conducted by the prosecution. The petitioner is accused in three other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 17.09.2022

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Begusarai in connection with Barauni P.S Case No. 438 of 2022, with the condition :-

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.



The application stands allowed.

(Chandra Prakash Singh, J)

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