

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20360 of 2023

Arising Out of PS. Case No.-315 Year-2022 Thana- PARBATTa District- Khagaria

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BAMBAM SINGH SON OF LATE MANORANJAN SINGH RESIDENT
OF VILLAGE NAYA GAON SATKHUTTI, PS PARBATTa DISTT-
KHAGARIA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Aditya Nath Pandey, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-07-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Parbatta
P.S. Case No. 315 of 2022 registered for the offence under
Sections 323, 341, 504, 506, 307, 379 and 34 of the Indian Penal
Code and Section 27 of the Arms Act.

The petitioner is alleged to have shot fire upon the
sons of the informant due to which they sustained gun shot
injuries.

Learned counsel appearing for the petitioner submits
that the petitioner, who is of clean antecedent, is innocent and
has falsely been implicated in this case. He further submits that it
appears from the F.I.R. that the petitioner and the co-accused
alleged to have fired upon Saket Kumar which hit him below his



stomach and another co-accused, Shubham Kumar has fired upon Ankit Raj which hit him to his chest causing injury. Both injured are stated to be the son of the informant. He further submits that the petitioner and informant are descendants of common ancestor and there is land dispute between the parties on account of which altercation took place in which son of the informant got injured. There was intention to kill the son of the informant. He further submits that the allegation of causing firearm injury is jointly attributed to the petitioner and the co-accused, Shubham Kumar who has already been granted bail by the J.J. Board. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 28.11.2020.

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

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria in connection with Parbatta P.S. Case No. 315 of 2022 with the following conditions:-

(1) 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 canceled by the Court below.

(2) 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.

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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