

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20140 of 2023

Arising Out of PS. Case No.-293 Year-2022 Thana- CHAUTHAM District- Khagaria

Krishna Kumar @ Krita Son of Shri Indradeo Singh Resident of village -
Hardiya, P.S.- Chautham, District - Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ram Sumiran Rai, Advocate
For the Opposite Party/s : Mrs. Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 17-05-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with Chautham P.S. Case No. 293 of 2022 registered on 06.11.2022 for the alleged offences under Section 307 of the Indian Penal Code and Section 25(1-b)a, 25(9), 26 and 27 of the Arms Act.

3. As per prosecution case, a video was made viral in which a person was seen dancing and firing with dancers of an orchestra party. After investigation, the police found that the person in the video was this petitioner and he was arrested and from his possession a country made pistol and total 23 cartridges were recovered. Police also came to know that in the firing made by the petitioner one Laxman Yadav received injury



in his leg.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Nothing incriminating has been recovered from the person or possession of this petitioner and the seizure list has been prepared in violation of the mandatory provisions of Cr.P.C. The petitioner is in custody since 06.11.2022 and charge-sheet has been submitted. Petitioner is having clean antecedent.

5. Learned APP opposes the prayer for bail submitting that the petitioner was caught red-handed with arms and a large number of cartridges and he also caused injury to a person by opening fire in a party.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the clean antecedent of the petitioner and also considering his period of custody along with the submission of charge-sheet against him, the petitioner above named is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Khagaria/court concerned in connection with Chautham P.S. Case No. 293 of 2022, subject to the conditions mentioned in Section 437(3) of



the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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