

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23025 of 2023**

Arising Out of PS. Case No.-156 Year-2022 Thana- PHULWARIA District- Begusarai

Chunchun Singh @ Chunchun Kumar @ Satyajeet Kumar Son Of Ramanand
Singh Resident Of Village Bihat, Khem Karanpur Tola, P.S- Barauni, District
Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hare Krishna Prasad, Advocate

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

- 3 14-07-2023 1. Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.
2. Let the defect(s), if any, be removed within a
period of four weeks from today.
3. The petitioner seeks bail in connection with
Phulwariya P.S. Case No. 156 of 2022 registered for the offence
under Sections 302, 120-B/34 of the Indian Penal Code and
under Section 27 of the Arms Act.
4. The accused/petitioner is not named in the F.I.R.
and is in custody since 22.10.2022.
5. The allegation against the petitioner is to open
indiscriminate firing alongwith several unknown co-accused
persons causing firearm injuries to more than 11 persons, where



out of that one person died during the course of treatment.

6. Learned counsel appearing on behalf of the petitioner submitted that the petitioner not named in F.I.R. and during the course of investigation his name surfaced with maximum of incriminating circumstances as the main co-accused persons, who had involved in firing, called a meeting at *dalan* of this petitioner. It is submitted that no specific act attributed to this petitioner suggesting involvement in active firing, as alleged, causing firearm injury to more than 11 persons. It is submitted that one of the reason for implication of this petitioner is his criminal antecedents as he found involved in eight more criminal cases, where he is on bail. While concluding the argument, it has been submitted that investigation of this case has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

7. Learned APP opposes the prayer of bail.

8. Considering the facts and circumstances as mentioned above and by taking note of the fact as no specific overt act attributed to this petitioner towards occurrence coupled with the fact that charge-sheet has already submitted, where petitioner is in custody since 22.10.2022, accordingly, above



named petitioner is directed to be released on bail in connection with Phulwariya P.S. Case No. 156 of 2022 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned A.C.J.-I, Begusarai/concerned court, subject to the conditions as mentioned under Section 437 (3) of the Cr.P.C. with further conditions:

“(i) That the petitioner shall not involve in similar nature of offence till the conclusion of trial, failing which, the State shall be at liberty to move before the learned Trial Court itself for the cancellation of bail bond of the petitioner.

(ii) That accused/petitioner shall cooperate in the trial and shall be physically present on each and every date before the learned Trial Court till the conclusion of trial and exemption from physical appearance be allowed by the learned Trial Court, only on medical ground of the petitioner duly supported by the documents.



(iii) That one of the bailors shall
be deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

pooja/-

U		T	
---	--	---	--

