

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27968 of 2023

Arising Out of PS. Case No.-15 Year-2022 Thana- BAGENGOLA District- Buxar

BHAGWAN SINGH S/O KISHORE SINGH Resident of Village- Kaithi,
P.S.- Bagengolam District- Buxar.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Rabia Gulnaz, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 26-04-2023 Heard the parties.

The petitioner is in custody in connection with Sessions Trial No. 412/2022 arising out of Bagengola P.S. Case No. 15 of 2022 for the offences under Sections 147, 148, 149, 341, 323, 504, 506 and 307 of the Indian Penal Code lodged on 24.02.2022 by Moti Yadav.

The prosecution story, in brief, is that, the informant has alleged that when he was cleaning public drainage system, the accused persons including the petitioner herein came and started abusing him and thereafter, the allegation against this petitioner was that he opened fire which hit his palm and as a result whereof he was injured.

Considering the fact that the petitioner is in custody since 29.03.2022 (as stated in para 4 of the present petition), he



do not have criminal antecedent, this Court is inclined to grant him the privilege of bail with conditions.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Session Judge-4, Buxar in connection with Sessions Trial No. 412/2022 arising out of Bagengola P.S. Case No. 15 of 2022 subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;



(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the application is allowed.

Before parting, this Court would like to put on record its word of appreciation for Mrs. Rabia Gulnaz, learned counsel for the petitioner for the proper assistance to the Court.

(Rajiv Roy, J)

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