

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29203 of 2023

Arising Out of PS. Case No.-94 Year-2022 Thana- KHAJEKALA District- Patna

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Suraj Kumar Son Of Kashi Prasad Chandrvanshi Resident Of Village -
Macchhrhatta, Beside of Kachouri Gali, P.S.- Khajekalan, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jay Ram Prasad, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 07-06-2023 Let the defect(s), if any, be removed within two
weeks from today.

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

The petitioner seeks regular bail in connection with
Khajekalan P.S. Case No. 94 of 2022 registered on 31.03.2022
lodged under Sections 302/120(B)/34 of the I.P.C. and Section
27 of the Arms Act.

As per the prosecution case, F.I.R. has been lodged
against three known and two unknown accused persons. It has
been alleged that the said named accused persons were going to
godown and in the meantime, Deepak Kumar, Sonu Kumar and
Kalu Kumar fired on the son of the informant from their pistol
indiscriminately, which resulted into his death.

Learned counsel for the petitioner submits that in the present F.I.R., the petitioner has not been named and his name has figured by virtue of confessional statement of the co-accused. He submits that one co-accused person namely Piyush Sharma, who was not named in the F.I.R., has been granted bail vide order dated 20.02.2023 in Cr. Misc. No. 65899 of 2022. Counsel further submits that named accused persons have also been granted bail, which is annexed in Annexure-2(A) and 2(B).

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV, Patna City in connection with Khajekalan P.S. Case No. 94 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of

his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

Ashishsingh/-

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