

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28092 of 2023

Arising Out of PS. Case No.-321 Year-2022 Thana- SAHEBPUR KAMAL District-
Begusarai

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BAMBAM RAI @ SHARAD CHANDRA RAI @ SARAD RAI @
BAMBAM YADAV Son of Navdeep Chandra Rai Resident of village -
Raghunathpur, P.S.- Sahebpur Kamal, District - Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ramakant Sharma, Sr.Advocate
	:	Mr.Lakshmi Kant Sharma, Advocate
For the Opposite Party/s :		Mr.Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-05-2023 Heard Mr. Ramakant Sharma, learned senior counsel
appearing for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
05.01.2023 in connection with Sahebpur Kamal P.S. Case No.
321 of 2022, F.I.R. dated 24.11.2022 registered for the offence
punishable under Sections 147, 148, 149, 323, 307, 324,120B of
IPC and Section 27 of Arms Act.

Allegation against the petitioner is that he fired upon
the sister-in-law of the informant, Sunita Devi, due to which she
sustained injury on her leg.

Learned senior counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the



present case due to previous dispute between the parties and there is case and counter case. Further submits that the FIR is in two parts. In 1st part, there is general and omnibus allegation against all the accused persons including the petitioner and in 2nd part, specific allegation against the petitioner is that he fired upon the sister-in-law of the informant but the medical report of the sister-in-law of the informant does not support the allegation as alleged in the FIR and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 05.01.2023.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the aforesaid fact, let the petitioner, above named, be released on bail 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, Begusarai in connection with Sahebpur Kamal P.S. Case No. 321 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 cancelled 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.

(3) 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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