

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30297 of 2022

Arising Out of PS. Case No.-31 Year-2021 Thana- GHOSWARI District- Patna

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Karamvir Kumar @ Karamvir Yadav @ Ajay Yadav, Son of Madan Yadav @
Gendhari Yadav R/o Village - Gosaigoan, P.S.- Ghoswari, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Sinha

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 04-01-2023 This case is listed out of turn on account of the fact

that the petitioner has to appear in the Indian Army

Agniveer Examination, 2023.

Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with

Ghoswari P. S. Case No. 31 of 2021, registered for the

offences punishable under Sections 147, 341, 504 and 506

of the Indian Penal Code and Section 27 of the Arms Act,

1959.

The prosecution story as emerges from the FIR is

that on information that petitioner and his associates were



making firing to create panic to the villagers in regard to Panchayat Election in village Gosaigaon, the police party conducted a raid and recovered two live and six empty cartridges.

Ld. counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner was not apprehended on the spot. He also submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that investigation in this case is complete and charge-sheet has already been submitted. He also submits that the petitioner will co-operate in the trial and the trial will not hamper in case he is released on bail.

He further submits that the petitioner has been languishing in jail since 05.01.2022.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has been made accused in two other cases.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has never moved before this



Court for grant of anticipatory or regular bail.

However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Sri K. P. Arya, Judicial Magistrate 1st Class, Barh, District – Patna, in connection with Ghoswari P. S. Case No. 31 of 2021 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police



officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedents other than the disclosed one, Ld. court below shall cancel the bail bonds of the petitioner after hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, Ld. court below shall cancel the bail bonds of the petitioner.

The application stands allowed accordingly.

Ld. counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

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