

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32415 of 2023

Arising Out of PS. Case No.-197 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Md Kalam Son Of Md Ajam, Resident Of Village- Fatehpur, P.S.- Muffasil,
District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 28-06-2023 Let the defect, 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
Muffasil (Singhaul O.P.) P.S. Case No. 197 of 2022 dated
23.04.2022 lodged under Sections 302, 386 and 504/34 of the
I.P.C. read with Section 27 of the Arms Act.

As per the prosecution, the F.I.R. has been lodged
against six named accused persons including the present
petitioner. All the accused persons have visited to banana
godown in the meantime the informant's son who was standing
on the beetle shop, accused persons reached there and started
assaulting as well as abusing to him. They were putting pressure
to file compounding petition. They were also demanded
Rs.50,000/- as ransom otherwise they were threatening to kill
the entire family. He further submits that with a view to putting

pressure Md. Mukhtar has directed to fire upon which accused Md. Mahboob has gun shot on the deceased.

Learned counsel for the petitioner submits that there is no allegation against the petitioner, only allegation that he was member of mob who used to demand ransom. Counsel further submits that the said accused persons against whom allegation of order to make gun shot is there has been granted anticipatory bail by the Co-ordinate Bench of this Court vide order dated 17.03.2023 passed in Cr. Misc. No. 55504 of 2022. Counsel further submits that other co-accused persons whose case is similarly situated of the present petitioner, has been granted bail by the Co-ordinate Bench of this Court vide order dated 20.03.2023 passed in Cr. Misc. No. 66503 of 2022. He further submits that petitioner is in custody since 24.04.2022 having one criminal antecedent.

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 J.M. Ist Class, Begusarai in

connection with Muffasil (Singhaul O.P.) P.S. Case No. 197 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 an 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.)

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