

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32851 of 2022

Arising Out of PS. Case No.-84 Year-2022 Thana- DALSINGHSARAI District- Samastipur

Chandradeep Kumar Son of Ram Kumar Mahto @ Ram Kumar Resident of
Village - Pandh, P.S.- Dalasinghsarai, Distt.- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Roy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

7 13-02-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Section 394 of the Indian Penal Code
and Section 27 of the Arms Act.

According to prosecution case, two unknown persons
fired upon the informant which hits on his knee and he fell
down then both the unknown persons snatched the key of his
motorcycle and fled away.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case on the basis of suspicion. He further submits that the petitioner is not named in the F.I.R. and his name has been transpired during investigation on the basis of the self confessional statement of the petitioner. He further submits that on the basis of the confessional statement of the petitioner, motorcycle has been recovered from the house of the Jeewat Mishra. He further submits that no arms have been recovered from the possession of the petitioner so no case is made out under Section 27 of the Arms Act. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 16.03.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Dalasingsarai P.S. Case No. 84 of 2022, subject to 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 absence on two consecutive dates without sufficient reason, his 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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