

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37192 of 2023

Arising Out of PS. Case No.-23 Year-2023 Thana- AZIMABAD District- Bhojpur

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RAMJEET CHAUDHARY @ BICHIYA Son of Rajendra Chaudhry Resident
of village - Noorpur, P.S. - Azimabad, Distt. - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiv Prasad Gupta
For the Opposite Party/s : Mr. Nitya Nand Tiwary

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 28-06-2023 Heard Ld. counsel for the petitioner and Ld. APP

for the State.

The petitioner seeks bail in connection with

Azimabad P.S. Case No. 23 of 2023, registered for the

offences punishable under Sections 341, 323, 307, 504, 506

and 34 of the Indian Penal Code and Section 27 of the Arms

Act.

The prosecution case is that on 04.03.2023 at

about 7:00 P.M. the informant came to know that his son

namely, Rahul Kumar sustained bullet injuries on leg due to

altercation taken place between him and accused persons.

Ld. counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in this case only on suspicion. He further submits that no case is made out under Section 307 because alleged injury has been caused on leg, and not on the vital part of the body, which shows lack of any intention to commit murder.

He further submits that the petitioner has been languishing in jail since 06.03.2023.

It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedents.

It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

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

Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged 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. concerned Trial Court in connection with Azimabad P.S. Case No. 23 of



2023, 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 any criminal antecedents, Ld. court below shall cancel the bail bond 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 bond of the petitioner.

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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