

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37773 of 2022

Arising Out of PS. Case No.-11 Year-2022 Thana- KINJAR District- Jehanabad

Santosh Kumar S/o Late Ramanuj Singh Resident of Village- Khajuri, P.s.-
Karpi, District- Arwal

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar Singh, Sr. Advocate
		Mr. Manish Kumar Singh, Advocate
For the Informant	:	Mr. Ranjay Kumar Singh, Advocate
For the State	:	Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 24-02-2023 Heard Mr. Rajesh Kumar Singh, learned Senior
counsel for the petitioner, Mr. Ranjay Kumar Singh, learned
counsel appearing on behalf of the informant and learned APP
for the State.

Learned Senior counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 341, 326, 307, 506/34 of the
Indian Penal Code and Section 27 of the Arms Act.

The prosecution case, in short, is that on 15.02.2022
at about 4:45 A.M. when the informant was starting motorcycle
in the campus of Chura Mill and in the meantime two persons
came there and one person made four rounds firing from pistol



which hit his palm, chest and abdomen and fled away in the godown of Chura Mill. It is further alleged that the miscreants had covered their face by muffler.

Learned Senior counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case only on the basis of suspicion. He further submits that it appears from the F.I.R. itself that only on the basis of suspicion the name of the petitioner has been implicated in the F.I.R. and except suspicion, no other cogent material has come during investigation against the petitioner. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 17.02.2022.

Learned counsel appearing on behalf of the informant and learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case and the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in



connection with Kinjar P.S. Case No. 11 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 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 witness, 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 antecedents, 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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