

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38473 of 2022

Arising Out of PS. Case No.-76 Year-2022 Thana- TEGHRHA District- Begusarai

Amit Kumar Chaudhary Son Of Bhasho Chaudhary R/O Village- Naya Nagar
Dularpur, P.S.- Teghra, District- Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sabal Kumar Jha, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 01-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

The petitioner seeks bail, who is in custody since
09.05.2022 in connection with Teghra P.S. Case No. 76 of
2022, F.I.R. dated 25.03.2022 registered for the offence
punishable under Sections 341,307, 34 of IPC and Section 27
of Arms Act.

Allegation against the petitioner is that he fired upon
the informant causing injury on his back side of head.

Learned counsel appearing for the petitioner submits
that the petitioner has falsely been implicated in the present case
merely on the basis of the suspicion. Further submits that as per



allegation in the FIR that the alleged occurrence had taken place on 21.03.2022 at 8.00 P.M. in the night and the statement of the informant was recorded on 22.03.2022 at 4.00 P.M. Further submits that except the suspicion, no other material has come during investigation to suggest the involvement of the petitioner in the present case and the petitioner is in custody since 09.05.2022.

Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submits that the injury report of the victim also supports that allegation as alleged in the FIR and independent witness also supports that case of the informant in para-29,30 and 31 of the case diary.

Considering the aforesaid fact, let the petitioner, above named, be released on bail **after framing of the charges** on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Begusarai in connection with Teghra P.S. Case No. 76 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/her absence on two consecutive dates without sufficient



reason, his/her 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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