

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45454 of 2022

Arising Out of PS. Case No.-201 Year-2022 Thana- SAHPUR District- Patna

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Ganesh Singh @ Ganesh Prasad Singh Son Oflate Asharphi Singh R/O
Village- Patlapur, P.S.- Shahpur, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shivam, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 03-02-2023 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State in the virtual court

proceeding.

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 Sections 120B, 147, 148, 149, 341,
342, 323, 307, 379, 504 and 506 of the Indian Penal Code and
Section 27 of the Arms Act and later on Section 302 of the
Indian Penal Code has been added.

According to prosecution case, several accused
persons surrounded the son of the informant who is returning to
his home along with Krishna Kumar and Pawan Kumar and
fired a shot from his pistol which struck at the chest of Rupesh



Kumar (son of the informant) and snatched a golden chain and took out Rs. 10,000/- from his pocket.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that in fact, the petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation on the basis of the statement of the deceased. He further submits that it appears from the statement of the deceased that the petitioner was only standing there and there is no acquisition of assault or overt act against the petitioner. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 18.05.2022.

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 Shahpur P.S. Case No. 201 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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