

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52930 of 2023

Arising Out of PS. Case No.-506 Year-2022 Thana- BEGUSARAI TOWN District- Begusarai

ANANT KUMAR Son of Kamal Kishore Singh Resident of Village-Ramdiri
Tola Nakti, Police Station-Matihani, District-Begusarai

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jai Prakash Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 22-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is in judicial custody in connection with Begusari P.S. Case No. 506 of 2022 registered under Section 394 of the Indian Penal Code lodged on 20.08.2022 by the informant, Sunil Singh.

As per the prosecution story, as the informant was proceeding towards the Restaurant, the accused persons came and tried to snatch his bag and when he resisted, they opened fire in which he sustained injury in his chest. Accordingly, the FIR.

Subsequently, during investigation, one Prince Kumar @ Golu was apprehended and on his confessional statement, name of the petitioner along with others came up.



Learned counsel for the petitioner submits that the main allegation is against Prince Kumar @ Golu who opened fire. His name has come in the confessional statement only because of his criminal antecedent, implicated. Last submission is that similar situate co-accused, Rajnish Kumar has been granted bail vide order dated 21.08.2023 passed in Cr. Misc. No. 52729 of 2023.

Learned APP for the State opposes the prayer for bail stating that he has criminal antecedent.

Considering the submissions put forward by the learned counsel for the petitioner, the main allegation is against Prince Kumar @ Golu, is in custody since 15.03.2022 (as stated in paragraph-12 of the petition), no Test Identification Parades has been conducted and one of the similar situate co-accused has since been extended the privilege of bail, this Court is inclined to grant him privilege of bail.

Let the petitioner be released on bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Begusarai in connection with Begusarai Town P.S. Case No. 506 of 2022, subject to the following conditions:



(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Rajiv Roy, J)

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