

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53630 of 2023

Arising Out of PS. Case No.-398 Year-2022 Thana- MANER District- Patna

CHITRANJAN KUMAR @ CHITRANJAN RAI S/O BHARAT RAI @
BHARAT PRASAD SINGH R/O VILLAGE- CHHIHATTAR, P.S- MANER,
DISTT.- PATNA.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sada Nand Roy, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 23-08-2023 Heard Mr. Vikramdeo Singh, learned counsel for the
petitioner and learned APP for the State.

The petitioner is in judicial custody in connection
with Maner P.S. Case No.398 of 2022 instituted under Sections
147, 148, 149, 341, 323, 324, 307, 354, 379, 448, 427, 504, 506
of the IPC and 27 of Arms Act lodged on 07.06.2022 by the
informant Jeewa Nand Rai.

As per the prosecution story, allegation is that on
07.06.2022 the accused persons demolished the 'Gumti' and
also assaulted their son Chintu Kumar. This was not reported to
the police which emboldened them and a month later on



07.07.2022 they assaulted the informant and allegation against the petitioner is that he opened fire causing injury on his leg and he became unconscious. Accordingly, the FIR.

Learned counsel for the petitioner submits that both are family members, a minor scuffle was given a big picture, he has already suffered by being in custody since 18.06.2023, which has come in the supplementary affidavit (para-4 of the petition).

Further the submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant side has alleged injuries, the petitioner (s) on its own would like to contribute towards the medical assistance of Rs.10,000/- to the informant through Demand Draft issued by the local State Bank of India branch to be submitted before the 'NAZARAT' of concerned Court to be handed over to the informant after checking her credentials.

Learned APP opposes the prayer for bail stating that allegation is against him is of injuring the leg of Karam Rai, his brother.

Considering the aforesaid facts, submissions put forward by the learned counsel for the petitioner as also his period of custody, this Court is inclined to grant him privilege of



bail but only after the framing of the charges subject to the payment of Rs.10,000/- as undertaken above by the learned counsel for the petitioner.

Let the petitioner be released on bail after the framing of the charges on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each in connection with Maner P.S. Case No.398 of 2022 to the satisfaction of learned Judicial Magistrate, Ist Class, Danapur (Patna) , subject to following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his 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 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 the 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)

Prakash Narayan

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