

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57663 of 2023

Arising Out of PS. Case No.-469 Year-2022 Thana- AMARPUR District- Banka

SACHIN KUMAR SINGH S/o- SANJAY KUMAR SINGH Village-
Athmaha Ps- Amarpur Dist- banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Jha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-09-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Amarpur
P.S. Case No. 469 of 2022 registered for the offence under
Sections 307/34 of the Indian Penal Code.

The petitioner is alleged to have opened fire upon the
informant from the pistol which hit him below his knee of right
leg.

Learned counsel appearing for the petitioner submits
that the petitioner is innocent and has falsely been implicated in
this case. He further submits that on bare perusal of the F.I.R., it
appears that the petitioner allegedly opened fire upon the
informant with intention to kill him. He further submits that the
informant happens to be father of the petitioner has received



firearm injury on his right leg which is not the vital part of the body and the final injury report of the informant suggest that he has caused lacerated wound over the right leg below the knee and doctor has opined that the injury is simple in nature caused by hard and blunt substance. He further submits that the doctor has opined that in the X-ray report, a bullet shaped metallic opacity seen. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 17.03.2023.

Learned A.P.P. for the State on the basis of material available on record and the case diary vehemently opposed the prayer for bail of the petitioner and submits that there is direct allegation of firing against the petitioner that he has fired upon his father and apart from that the petitioner carries seven cases other than the present one, however, he is on bail in six cases according to paragraph 3 of the petition.

Considering the facts and circumstances of the case, let the, above named, petitioner be released on bail, **after framing of charge**, on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka in connection with Amarpur P.S. Case No. 469 of 2022 corresponding to G.R. No. 2669 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 canceled 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.

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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