

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60046 of 2023

Arising Out of PS. Case No.-241 Year-2023 Thana- AGAMKUAN District- Patna

NANDAN SINGH @ NANDU S/o- UMESH SINGH Mohalla- Postal Park
Road No-3, Near Kali Mandir Ps- Jakkanpur Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-09-2023 Heard the parties.

2. The petitioner is in judicial custody in connection with S.Tr. No. 799 of 2023 arising out of Agamkuan P.S. Case No. 241 of 2023 for the offence punishable under Sections 307, 290, 427, 337, 338 of the Indian Penal Code and section 27 of the Arms Act lodged on 9.3.2023 by the informant, Bipin Bihari.

3. As per the prosecution story, the allegation is that the accused persons while moving in a Scorpio opened fire on a bus creating panic in the locality. In the process, he damaged the window panes of the bus. Accordingly, the FIR.

4. It is the case of the petitioner that he does not own the Scorpio nor was in it but has been implicated only because he has criminal antecedent.



5. Learned APP opposes the prayer stating that he has four criminal cases under his belt and only to create terror, they opened fire on a moving bus

6. Taking into account the submission put forward by the parties, he is young boy of 22 years, is in custody since 25.3.2023 (para-6 of the petition), this Court is inclined to extend him the privilege of bail only after framing of the charges.

7. Let the petitioner be released on bail only after framing of the charges on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-IVth, Patna City, in connection with S.Tr. No. 799 of 2023 arising out of Agamkuan P.S. Case No. 241 of 2023 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 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 his 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 his bail bonds.

8. With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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