

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62608 of 2022

Arising Out of PS. Case No.-129 Year-2022 Thana- NAUBATPUR District- Patna

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Gulshan Kumar Son Of Late Guddu Singh R/V- Vishunpura, P.S- Bihta, Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Aditya Narayan Singh.1, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 22-02-2023 Let the defect(s), if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Naubatpur P.S. Case No. 129 of 2022 lodged under Sections 307/34 of the I.P.C. and 27 of the Arms Act.

As per the prosecution case, the F.I.R. has been lodged against Gulshan Kumar, indicating him as a suspect. In the F.I.R., the name of Gulshan Kumar has been taken by the informant as suspect and shown suspicion that those persons who fired upon the informant and his friend, may be the friend of Gulshan Kumar.

Learned counsel for the petitioner submits that from

the content of the F.I.R. it transpires that the case of Gulshan Kumar has taken into suspect as there is not allegation against Gulshan Kumar, that he has fired. It has also not come that Gulshan Kumar is directly involved in this case and there is one case pending against him.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that petitioner is in custody since 22.04.2022 having one criminal case pending against him. Learned counsel submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned ACJM, Danapur, Patna in connection with Naubatpur P.S. Case No. 129 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall

appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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