

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62691 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- NAYAGAON District- Begusarai

Ghanshyam Singh S/O Ram Subhag Singh, Resident Of Village- Gorgama,
P.S.- Nayagaon, District- Begusarai. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jitendra Narain Sinha, Advocate.
For the State	:	Mr. Ganesh Prasad Singh, APP.
For the Informant	:	Mr. Mirtunjay Kumar, Adv.
	:	Mr. Ashok Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 27-02-2023 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State as well as learned counsel for the informant.

The petitioner seeks regular bail in connection with
Nayagaon P.S. Case No. 16 of 2022 lodged under Sections 147,
148, 149, 341, 323, 307, 387, 504, 506 and 379 of the I.P.C.
read with Section 27 of Arms Act.

As per the prosecution, there are eleven persons who
were made accused in this case including the petitioner. The
specific allegation against the present petitioner is that he
caused fire arm injury upon the informant.

Learned counsel for the petitioner submits that in the
rejection order the Trial Court in the last page has specifically
mentioned that there is specific allegation against this petitioner



for firing upon informant, due to which he sustained fire arm injury and the said injury caused to him is simple in nature. Counsel further submits that petitioner is in custody since 04.06.2022 and charge has already been framed in this case. Counsel further submits that petitioner is ready to fulfill all the conditions whatsoever shall be imposed upon him. Counsel also submits that there are four other accused of this case who have been granted bail by the Co-ordinate Bench of this Court.

Learned counsel for the State opposes the prayer for bail.

Learned counsel for the informant vehemently opposes the prayer for bail and submits that petitioner is dreaded criminal of the area and there are nine criminal cases pending against him.

In response, counsel for the petitioner submits that petitioner is on bail in all the nine cases.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, only when the petitioner is on bail in all the nine cases, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai



in connection with Nayagaon P.S. Case No. 16 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 an 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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