

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67648 of 2023

Arising Out of PS. Case No.-560 Year-2019 Thana- KESARIA District- East Champaran

Umang Dubey Son Of Anand Kumar Dubey Village- Raja Bazar West
Gopalpur Ps- Nagar Dist- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Krishna Kant Singh, Advocate

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Kesariya P.S Case No. 560 of 2019 dated 06.12.2019. registered for the offences punishable under Section 326 and 307 read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, four unknown miscreants boarded on two motorcycles intercepted the vehicle of the informant. When the informant stop the vehicle, one miscreant fired on his leg. Thereafter, they made indiscriminate firing on the informant's vehicle and when the nearby people rushed there then fled away.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Kumod Tiwari who has already been granted bail by the Co-ordinate Bench of this Court *vide* order dated 17.11.2021 passed in Cr. Misc. No. 64161 of 2021. The petitioner is accused in nine other criminal cases out of which he is on bail in eight other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 28.04.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, East Champaran in connection with Kesariya P.S Case No. 560 of 2019, with the conditions :-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bonds of the petitioner are liable to be cancelled.

(ii). If the petitioner is found involved in similar nature of offence in the future, the prosecution will be at liberty to move for cancellation of his bail bonds.

7. The application stands allowed.

(Chandra Prakash Singh, J)

atul/-

U		T	
---	--	---	--

