

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66719 of 2022**

Arising Out of PS. Case No.-60 Year-2022 Thana- BHAGWANPUR District- Begusarai

Avnish Kumar @ Raman Raj @ Raman Raj Yadav S/O Ram Binod Ray @
Vinod Ray R/O Village- Dahiya, P.S- Bhagwanpur, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar, Adv

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

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER**

2 03-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner apprehends his arrest in connection with Bhagwanpur P.S. Case No. 60 of 2022 for the offence registered under sections 504, 307 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution story, the allegation is that the informant with his friend were present at the wheat field while the named accused persons came abused and thereafter, on the order of the present petitioner Avinash Kumar opened fire. He however, save himself and thereafter, lodged the FIR.

Learned counsel for the petitioner submits that both the informant and petitioner are agnates and land dispute is going on between them and just to put pressure, the present



FIR. Further submission is that he is ready to abide by the terms and conditions as imposed by this Court.

Learned APP opposes the prayer for bail of the petitioner.

Considering the fact that kind of allegation that has come against the petitioner, the allegation against Akshay Kumar is that he opened fire, he is a young boy of 21 years and be given a chance to reform himself, this court is inclined to extend him privilege of anticipatory bail with conditions.

Let the petitioner be released on bail, in the event of his arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-I class, Begusarai in connection with Bhagwanpur P.S. Case No.60 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall co-operate in the investigation and make himself available to the police as and when required;



(iii) 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/her bail bond by the Trial Court itself;

(iv) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(v) 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;

(vi) 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.

(Rajiv Roy, J)

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