

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69185 of 2022

Arising Out of PS. Case No.-21 Year-2021 Thana- RAMKRISHNANAGAR District- Patna

Raja Raj @ Raja Kumar S/o Late Sunil Rajak R/o Village- Dativana, P.S.-
Vikram, Distt- Patna. Present resident- Mina Niwas, Near GDM College, P.S.-
Ramkrishna Nagar, New Jaganpura, Distt- Patna, PIN Code- 800027.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Shahabuddin Azeem @ S. Azeem, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 11-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail, who is in custody since
25.07.2022, in connection with Ramkrishna Nagar P.S. Case No.
21 of 2021, G.R. No. 404 of 2021, F.I.R. dated 10.01.2021
registered for the offences punishable under Sections 341, 342,
323, 307/34 of the Indian Penal Code and Section 27 of the
Arms Act.

As per allegation in the F.I.R. is that accused Nitish
Kumar, Raja Kumar, Shubham Kumar and Raju Kumar along
with unknown persons shot on the chest of the informant and
sustained injured and taken away to hospital for treatment.

Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely



implicated in the present case. He further submits that from a bare perusal of the F.I.R. it appears that there is general and omnibus allegation against all the accused persons including the petitioner and as per allegation in the F.I.R. that the petitioner and other co-accused persons had fired upon the victim and only one injury was found on the person of injured. He further submits that co-accused person namely Sonu Kumar has been granted bail by a Coordinate Bench of this court vide order dated 17.05.2022 passed in Cr. Misc. No. 67665 of 2021, another co-accused persons namely Shubham Kumar @ Shubham Singh and Raju Kumar Goswami @ Raju Kumar have been granted bail by a Coordinate Bench of this court vide order dated 02.03.2022 passed in Cr. Misc. No. 39792 of 2021 and Cr. Misc. No. 3485 of 2022 respectively. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 25.07.2022.

The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned



Judicial Magistrate 1st Class, Patna in connection with
Ramkrishna Nagar P.S. Case No. 21 of 2021, G.R. No. 404 of
2021, subject to the following conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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