

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73885 of 2022

Arising Out of PS. Case No.-340 Year-2022 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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RAM BINAY SINGH @ VINAY SINGH @BINAY SINGH S/O Jagdeo
Singh @ Jagdev Singh @ Jageshwar Singh R/O Village- Dhabauli, Ward No-
08, P.S- Muffasil, (Lakho O.P), District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-04-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since
05.07.2022 in connection with Muffasil P.S. Case No. 340 of
2022, F.I.R. dated 30.06.2022 registered for the offence
punishable under Sections 307,34 of IPC and Section 27 of the
Arms Act.

Allegation against the petitioner is that he fired upon
the driver of the informant, namely, Binay Kumar Yadav
causing injury on his right thigh.

Learned counsel appearing for the petitioner submits
that the petitioner has clean antecedent and he has falsely been
implicated in the present case. Further submits that from bare



perusal of the FIR it transpired that the date of occurrence as alleged in the FIR is 27.06.2022 but the Fardbeyan of the informant was recorded on 28.06.2022 and the present FIR has been instituted on 30.06.2022. Further submits that it appears from the FIR that the present FIR is in two parts, in first part, there is general and omnibus allegation against all the accused persons including the petitioner and in second part, specific allegation against the petitioner is that he fired upon the driver of the informant, namely, Binay Kumar Yadav which hits the right thigh of Binay Kumar Yadav and the injury report of Binay Kumar Yadav suggests that both the injuries are simple in nature caused by firearm and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 05.07.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid fact, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Muffasil P.S. Case No. 340 of 2022, with 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, 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 antecedent, 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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