

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4375 of 2024

Arising Out of PS. Case No.-265 Year-2022 Thana- TEGHRHA District- Begusarai

Rishu Kumar S/O Amit Kumar Singh @ Amit Kumar Ray R/O Village-
Narepur Dharampur, P.S- Bachhwara, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 12-07-2024 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Teghra P.S. Case No.
265 of 2022, instituted for the offences punishable under
Sections 307, 120(B), 34 of the Indian Penal Code and Section
27 of the Arms Act.

3. The prosecution case, in short, is that, while the
informant was returning after asset verification, the accused
persons, variously armed, fired at the informant due to which he
sustained injury.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case. No



incriminating material has been recovered from the conscious possession of the petitioner. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of his own confession in Barauni (Chakiya) P.S. Case No. 438 of 2022. The petitioner has not been put on T.I.P. to ascertain his participation in the alleged occurrence. The petitioner has been remanded in this case on 24.08.2023 and has got eight criminal antecedents. Learned counsel for the petitioner further submits that similarly situated co-accused have been granted bail by this Court vide order dated 05.03.2024 passed in Cr. Misc. No. 13435 of 2024 and order dated 10.04.2024 passed in Cr. Misc. No. 11181 of 2024.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail ***after framing of charge, if not already framed*** on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court



in connection with Teghra P.S. Case No. 265 of 2022, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Rajorshi/-

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