

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13230 of 2024

Arising Out of PS. Case No.-241 Year-2022 Thana- BACHHWARA District- Begusarai

Santosh Kumar @ Bhulla S/o Ashok Ishwar @ Ashok Ishwar @ Ashok
Kumar Resident of Village- Bharoul, P.S.- Bachhwara, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Sharma

For the Opposite Party/s : Mr.Bhanu Pratap Singh

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 01-03-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner is in custody in connection with Bachhwara P.S Case No. 241 of 2022 registered for the offences punishable under Sections 307, 506, 34 of Indian Penal Code and Section 27 of the Arms Act.

3. As per prosecution case, petitioner and co-accused are alleged to have fired on the informant due to which informant became injured.

4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is further submitted that one of the co-accused has



already granted bail by the Co-ordinate Bench of this Court *vide* order dated 11.07.2023 passed in Cr. Misc. No. 35504 of 2023. It is also submitted that petitioner is in judicial custody since 31.08.2023.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, impugned order and period of custody and also considering the aforesaid facts and circumstances of the case and submissions made on behalf of the petitioner, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, 1st Class, Begusarai in connection with Bachhwara P.S Case No. 241 of 2022, subject to following conditions:

(i) That petitioner shall not involve in any nature of criminal case till the conclusion of trial, failing which the State shall be at liberty to move before the Trial Court itself regarding cancellation of bail bond of



the petitioner.

(ii) That petitioner shall co-perate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court only on medical ground of the petitioner duly supported by the documents.

(iii) That one of the bailors shall be deponent of the present bail petition.

(Ramesh Chand Malviya, J)

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