

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22596 of 2024**

Arising Out of PS. Case No.-85 Year-2023 Thana- DALSINGHSARAI District- Samastipur

SURAJ KUMAR S/O MITHILESH MAHTO R/O VILLAGE- BAJIDPUR,
P.S- VIDYAPATINAGAR, DISTT.- SAMASTIPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Ram Mishra, Advocate
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

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

ORAL ORDER

2 02-04-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Dalsinghsarai P.S. case No. 85 of 2023 instituted for the
offences under Sections 341, 307, 34 of the Indian Penal Code
and Section 27 of the Arms Act.

3. Prosecution case, in short, is that on the alleged date
and time of occurrence, when the informant was going to
Dalsinghsarai market, four unknown miscreants came from a
four wheeler and intercepted the motorcycle of the informant. In



the meantime, one of them fired on the leg of the informant and all of them fled away.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Petitioner is not named in the FIR. The name of the petitioner transpired in this case during investigation on the basis of confessional statement of the Kundan Kumar. Learned counsel further submitted that T.I.P. has not been conducted till date. Learned counsel further submitted that from perusal of the trial Court record, it appears that charge has been framed against this petitioner. Learned counsel further submitted that one of the co-accused has already been granted anticipatory bail by the learned court below itself. It has been submitted on behalf of the petitioner that the petitioner is in custody since 23.02.2023 and has three criminal antecedent but he is on bail in all the cases.

5. Learned A.P.P. 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, charge being already framed as also 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 on furnishing



bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Dalsinghsarai P.S. case No. 85 of 2023.

(Rudra Prakash Mishra, J)

Alok Verma/-

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