

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27356 of 2024

Arising Out of PS. Case No.-878 Year-2023 Thana- SHERGHATI District- Gaya

Vipin Patel @ Chotu @ Bipin Kumar Son of Anil Prasad @ Anil Pd. Rao,
Resident of Village-Ghoraghat, P.S.- Dobhi, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 20-05-2024 Heard Ld. counsel for the petitioner and

Ld. APP for the State.

2. The petitioner apprehends his arrest in connection with Sherghati (Dobhi) P.S. Case No. 878 of 2023 dated 12.08.2023, registered for the offences punishable under Sections 341 and 323/34 of the Indian Penal Code and Section 25 (2) of the Arms Act.

3. As per the prosecution case the informant stated that on 03.08.2023 his relatives were playing a mobile game (PUBG) near crusher machine situated at Ghorghat where accused persons reprimanded them and said to flee away from there, thereafter accused persons came near the house of informant and made firing and fled away. The informant got scared and called the police.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on account of enmity as the accused persons and informant are agnates. He further submits that neither any recovery of arms has been made nor anybody is injured in the alleged occurrence. The case is out and out false.

5. It has also been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedent.

6. It is also stated in paragraph no. 2 of the petition that petitioner has never moved before this Hon'ble Court for grant of Anticipatory Bail or Regular Bail.

7. However, Ld. APP for the State vehemently opposes the prayer of the petitioner for bail.

8. Considering the aforesaid facts and circumstances of the case, this application is allowed, directing the petitioner above named, to be enlarged on bail in the event of his arrest or surrender before Ld. trial court within a period of eight weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Ld. Additional Chief Judicial Magistrate-Ist, Sherghati, Gaya, in connection with Sherghati (Dobhi) P.S. Case



No. 878 of 2023, subject to the conditions as laid down under
Section 438 (2) Cr.P.C. and on the following conditions:

(i) In case, it is brought to the notice of Ld. trial court
that the petitioner has any criminal antecedent, Ld. trial court
shall cancel the bail bond of the petitioner after hearing him and
getting satisfied that the petitioner has concealed his criminal
antecedent despite his knowledge of the same.

(ii) In case, it is brought to the notice of Ld. trial court
that statement regarding previous bail petition is wrong, Ld. trial
court shall cancel the bail bond of the petitioner.

(Jitendra Kumar, J.)

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