

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29971 of 2024

Arising Out of PS. Case No.-318 Year-2023 Thana- SAKRA District- Muzaffarpur

Dipak Kumar Son of Sunil Rai Resident of village - Ramai Tole, P.S.-
Chakmehsi, District - Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shanti Bhushan Singh

For the Opposite Party/s : Mr.Md. Ataur Rahman

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 29-04-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Sakra P.S. Case No. 318 of 2023 dated 08.07.2023 registered for the offences punishable u/s 397 of the Indian Penal Code and u/s 27 of the Arms Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to have surrounded the informant and his friend and started snatching the key of the motorcycle. On being protested, the accused persons fired three pillets resultantly, one pillet hit in the right leg and another pillet hit in the stomach of the informant and after sustaining injuries, the informant fell down on the ground. Thereafter, all the accused persons snatched the motorcycle, purse containing Addhar Card, PAN Card and money



from the informant.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Amit Kumar @ Fekan. The petitioner was remanded in this case from Gaighat P.S. Case No. 270 of 2023. The occurrence took place on 04.07.2023 but the F.I.R. was lodged on 08.07.2023 after delay of four days and there is no explanation for the same. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner is accused in eight other criminal cases as stated in para 3 of the bail petition. The petitioner is in custody since 15.01.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur (East) in connection with Sakra P.S. Case No. 318 of 2023, with the condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which



on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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