

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35585 of 2024

Arising Out of PS. Case No.-223 Year-2023 Thana- DESARI District- Vaishali

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Gaurav Kumar S/o Mr. Tripurari Singh R/o vill - Aajampur, P.S. - Desari,
Distt. - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur, Advocate Ms. Vaishnavi Singh, Advocate Mr. Ritwik Thakur, Advocate
For the Opposite Party/s :		Mr. Bharat Lal, APP

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

ORAL ORDER

2 20-05-2024 Heard learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks bail in connection with Desari
(Chandpura OP) P.S. Case No. 223 of 2023 instituted for the
offence under Sections 341, 323, 307, 379, 504, 506/34 of the
Indian Penal Code and Section 27 of the Arms Act.

3. Prosecution case in short is that nephew of the
informant was assaulted by accused persons including the
petitioner. It further alleged that petitioner has fired upon the
nephew of the informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 19-01-2024. Petitioner



bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. It is submitted that there is delay of four days in lodging of the FIR. It is next submitted that there is no eye witness to the occurrence. It is also submitted that there is land dispute between the petitioner and the *nana* of the injured. It is lastly submitted that police after investigation has submitted the charge sheet.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, after framing of charge, if not already framed, 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 Desari (Chandpura OP) P.S. Case No. 223 of 2023, 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)

Raj Kishore/-

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