

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48013 of 2024**

Arising Out of PS. Case No.-246 Year-2020 Thana- RAJAPAKAR District- Vaishali

Chiku @ Gautam Kumar @ Chotu S/o Raja Sharma @ Raj Kumar Sharma
R/o Mohalla Bari Isopur PS Adyogic District Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Surya Narayan Yadav, Adv.

For the Opposite Party/s : Mr. Sanjay Kumar Tiwary, APP

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

ORAL ORDER

2 31-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Rajapakar P.S. Case No. 246 of 2020 dated 24.10.2020 registered for the offences punishable under Section 394 of the Indian Penal Code and 27 of the Arms Act.

3. As per the prosecution case, three unknown miscreants boarded on a motorcycle intercepted the informant and one of the miscreants opened fire on him which hit his palm causing bleeding injury on his hand, thereafter all the miscreants looted away his motorcycle and fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the possession of the



petitioner. The petitioner has no concern with the alleged motorcycle. The petitioner is not named in the FIR but the name of the petitioner has sprung up in this case on the basis of the confessional statement of Vishal Kumar. The petitioner has 12 criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 24.08.2023.

5. Learned A.P.P. for the State has 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 Judicial Magistrate, 1st Class, Vaishali at Hajipur in connection with Rajapakar P.S. Case No. 246 of 2020, with a condition:-

(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 will liable to be canceled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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