

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 50538 of 2024

Arising Out of PS. Case No.-31 Year-2024 Thana- NAYAGAON District- Begusarai

Praveen Kumar Son of Yogi Tanti @ Gogi Tanti @ Jangi Tanti Resident of
village - Koriya Haibatpur, P.S.- Muffasil, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 24-07-2024 Heard learned Advocate for the petitioner and learned
Additional Public Prosecutor for the State.

2. This is an application for grant of bail to the petitioner, who is in custody in connection with Nayagaon P.S. Case No. 31 of 2024 registered for the offences punishable under Sections 307/34 of the Indian Penal Code and 27 of the Arms Act.

3. While the informant was going to his house on his cycle, in the meantime, two persons who were riding on a motorcycle came there and pumped bullet due to which he sustained firearm injury.

4. Learned Advocate for the petitioner referring to the FIR submits that the FIR clearly suggests that the informant has not identified the persons who were on the motorcycle and, as



such, the FIR has been instituted against unknown miscreants. However, later on the informant disclosed the mobile number bearing No. 9570877512 from which he was receiving threatening of extortion. Only on the basis of mobile number the petitioner was arrested by the police. It is further contended that the petitioner is neither the holder of the mobile nor there is any material suggesting that he was the person who has given threatening. It is further contended that the petitioner has not been put on Test Identification Parade (TIP) nor there is any material suggesting complicity of the petitioner. It is next contended that the petitioner is a man of fair antecedent and now he is in custody since 15.04.20224, moreover, the investigation of the crime is complete and the chargesheet has been submitted.

5. On the other hand, learned APP for the State opposes the bail application and submits that there is material suggesting the complicity of the petitioner.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that during course of investigation no material has come that the mobile number through which the informant has received threatening calls belongs to the petitioner, coupled with the fact that the petitioner has fair



antecedent and is in custody since 15.04.2024, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate, First Class, Begusarai in connection with Nayagaon P.S. Case No. 31 of 2024, subject to the condition that one of the bailors shall be the own/close family members of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) The court below shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in



terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

(Harish Kumar, J)

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