

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52471 of 2024

Arising Out of PS. Case No.-729 Year-2021 Thana- NAGAR District- Vaishali

Shivjee Ram @ Chhotu Kumar Son Of Late Shiv Chandra Das Resident Of
Village - Nawa Nagar (Mayaram Pethiya), P.S. - Bidupur, District – Vaishali.

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manoj Kumar Sinha, Advocate

For the Opposite Party : Mr. Atul Chandra, A.P.P.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 24-07-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Hajipur Town P.S. Case No. 729 of 2021 lodged on 15.09.2021
under Section 393 of the Indian Penal Code and Section 27 of
the Arms Act.

3. As per the prosecution case, the FIR has been
lodged against three unknown accused persons alleging therein
that all the accused persons tried to snatch the bag of the infor-
mant and on protest being made, one of the accused persons re-
sorted fire below the waist of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The peti-
tioner is not named in the FIR, rather his name has figured in



this case by virtue of confessional statement of the co-accused. He further submits that petitioner is in custody since 27.01.2022, and there are five criminal cases pending against him. He further submits that the co-accused, namely, Chandan Kumar has been granted bail by this Court vide order dated 06.12.2022 passed in Cr. Misc. No. 41818 of 2022 while other co-accused, namely, Dilip Ram has been granted bail by a co-ordinate bench of this Court vide order dated 13.09.2022 passed in Cr. Misc. No. 34843 of 2022.

5. Learned counsel for the State opposes the prayer for bail and submits that at the time of considering the prayer for bail of the petitioner, this aspect must be taken into consideration that the antecedent of the petitioner is not clean.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate 1st Class, Hajipur, Vaishali, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure.

7. The learned court below shall release the petitioner on bail only after framing of charge, if already not framed as



well as on being satisfied that the petitioner is not absconding in any of the cases as mentioned in paragraph no.3 of the petition as under :-

- 1. Bidupur P.S. Case No. 527 of 2021
- 2. Bidupur P.S. Case No. 431 of 2021
- 3. Bidupur P.S. Case No. 224 of 2021
- 4. Bidupur P.S. Case No. 916 of 2021
- 5. Bidupur P.S. Case No. 420 of 2021

(Dr. Anshuman, J.)

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