

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57082 of 2024

Arising Out of PS. Case No.-39 Year-2024 Thana- GAMAHARIYA District- Madhepura

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Ashish Kumar S/o- Ramvilash Yadav Village- Itwa Jogbani W.No-4, Ps-
Gamahariya Dist- Madhepura

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh, Adv.

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

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

ORAL ORDER

2 20-08-2024 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 Gamahariya P.S. Case No. 39 of 2024 dated 11.03.2024 registered for the offences punishable u/ss 393 and 307 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, four unknown miscreants boarded on two motorcycles are alleged to have tried to snatch the mobile phone of the informant and during that course, one of the miscreants fired on the informant which hit his hip and they fled away.

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, Vivek Yadav which has no evidentiary value in the eye of law. No T.I.P. has been conducted by the prosecution. The charge-sheet has been submitted against the petitioner. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has one criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 20.03.2024 and remanded in the present case on 20.05.2024.

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, Madhepura in connection with Gamahariya P.S. Case No. 39 of 2024 with the 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 is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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