

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59396 of 2024

Arising Out of PS. Case No.-13 Year-2023 Thana- BHANGWANPUR HAT District- Siwan

Hari Kishore Prasad @ Doctor Son of Rajendra Prasad Resident of Village -
Gopalpur, P.S. - Bhagwanpur Hat, District - Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nawal Kishore Singh, Adv

For the Opposite Party/s : Mr. Mohammad Sufyan, Adv

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

ORAL ORDER

2 05-09-2024 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 Bhagwanpur Hat P.S. Case No. 13 of 2023 dated 13.01.2023 registered for the offences punishable u/s 394 and 307 of the I.P.C and Section 27 of the Arms Act.

3. As per the prosecution case, on 10.01.2023 at about 22.30 O'clock, the informant alongwith his friends were going to Gopalganj and the informant himself was driving the car. On the way, some unknown miscreants intercepted the informant's car. Three persons armed with weapons alighted from the Brezza car and they came near the informant and ordered to



open the gate of the car but the informant did not open the gate. The accused persons fired on the Scorpio due to which, the informant received gunshot injury on his chest and he became injured. The accused persons got alighted the informant and his friends from the Scorpio and they snatched a purse containing Rs. 7,000/- and three mobiles and thereafter they fled away with the Scorpio of the informant towards Mashrakh.

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 FIR. The name of the petitioner has sprung up in the confessional statement of the co-accused person. The charge sheet has already been submitted. Similarly situated co-accused has already been granted anticipatory bail by the co-ordinate bench of this court *vide* order dated 30.01.2024 passed in Cr. Misc. No. 50206 of 2023. The petitioner has nine antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 20.03.2024.

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 and the nature of allegation levelled against the petitioner 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, Siwan in connection with Bhagwanpur Hat P.S. Case No. 13 of 2023, with a condition/s:-

(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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