

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59739 of 2023

Arising Out of PS. Case No.-55 Year-2020 Thana- DANIYAWAN District- Patna

SUBHAM KUMAR, Son of Late Sanjay Singh @ Anjani Singh, Resident of
Village- Haziganj, (Near of Jalan High School) Koakhon, Marufganj, P.S.-
Patna City Chowk, District- Patna

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajeev Kumar, Advocate
Mr. Gautam Shah, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 12-01-2024

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Daniyawar P.S. Case no. 55 of 2020, registered under sections 302 and 394 of the Indian Penal Code and section 27 of the Arms Act.

3. The earlier application for bail of the petitioner was rejected vide order dated 6.1.2023 (Annexure-1) passed in Cr. Misc. no. 14246 of 2022.

4. As per the prosecution case, the Scorpio vehicle of the informant was overtaken by four accused persons and the informant and his driver were over powered on the point of



pistol. It is further stated in the F.I.R that one of the accused shot the informant's driver in his leg and the driver was thrown out of the vehicle. Regular threat was given that the informant would also be killed.

5. It is submitted by learned counsel for the petitioner that the earlier prayer for bail of the petitioner was rejected vide order dated 6.1.2023 giving liberty to the petitioner to renew his prayer for bail after framing of charge or after six months, whichever is later. Referring to the supplementary affidavit filed on behalf of the petitioner it is submitted that charge has been framed against the petitioner on 18.12.2023. He is in custody since 29.6.2023 and has no criminal antecedent.

6. The application for bail is opposed by learned APP for the State.

7. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the petitioner being in custody for more than 2 years 6 months since 29.6.2020, the liberty granted to the petitioner in the earlier order of rejection dated 6.1.2023 and charge having been framed against the petitioner in the learned trial Court on 18.12.2023, the petitioner is directed to be enlarged on bail in connection with Daniyawan P. S. Case no. 55 of 2020, on furnishing bail



bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties
of the like amount each to the satisfaction of the learned Judicial
Magistrate Ist Class, Patna City, Patna.

(Partha Sarthy, J)

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