

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82085 of 2024

Arising Out of PS. Case No.-332 Year-2024 Thana- DANAPUR District- Patna

Govind Kumar @ Govinda Kumar S/o Subodh Sah @ Subodh Prasad R/o
Village- Bhatta Road, Ward No.22, P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar Vivek, Advocate

For the State : Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 28-11-2024

Heard Mr. Abhishek Kumar Vivek, learned

counsel for the petitioner and Mr. Jitendra Kumar Singh, learned
APP for the State.

2. The petitioner is in judicial custody in connection with Danapur P.S. Case No. 332 of 2024 for the offences punishable under Sections 25(1-b)a, 26 and 35 of the Arms Act, lodged on 07.04.2024 by the informant, Pran Mohan Singh.

3. As per the prosecution story, the informant alleged that in course of enquiry with a Juvenile who was taken into custody disclosed that the gun shot injury suffered by Vinod Rai was sought by amongst this petitioner also accordingly, the cattle yard of the petitioner was raided and from there, four persons were found sitting. Though one managed to escape, the other three namely Govind Kumar (petitioner herein), Ajay



Kumar @ Sugriv and Suchit Kumar @ Bhote were apprehended while Rahul Kumar managed to escape. Further, upon search (i) upon search from the possession of Govind Kumar (petitioner), a country made loaded pistol and a mobile, (ii) Ajay Kumar @ country made loaded pistol, (iii) Suchit Kumar one live cartridges recovered/seized, this led to the F.I.R.

4. It is the case of the petitioner that his criminal antecedent has increased only because the confessional statement of a Juvenile, he had no role to play in it and the police got him implicated for which has already suffered by being in custody since 08.04.2024 (paragraph no.11 of the petition). Further, if granted relief he shall leave the district of Patna for six months after providing the details of place of stay along with the Police Station at the time of execution of bail bond.

5. Learned APP for the State opposes the prayer submitting that he is an accused in three criminal cases of which one is related to gun shot injury to one Vinod Rai whereafter, the cattle yard of this petitioner was raided.

6. Having gone through the facts of the case as also the submissions put forward by the parties, the antecedent is there, allegation has also come besides recovery/seizure from



him, the only point is that he is a young person having in jail since 08.04.2024 and undertaking has been given that he will be leaving the district for six months after providing all the details of his whereabouts at the time of execution of bail bond itself, this Court is inclined to extend him the privilege of bail.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate-I, Danapur, Patnas in connection with Danapur P.S. Case No. 332 of 2024, subject to the following conditions:

(i) one of the bailor should be the family member/relative of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next one year to mark his attendance inasmuch as after leaving the district for six months wherever the petitioner stays, mark his presence every fortnight to the nearest Police Station and coming back after six months



to the concerned Police Station for the next six months;

(iv) the petitioner shall in now way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of bail bonds.

(Rajiv Roy, J)

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