

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82209 of 2024

Arising Out of PS. Case No.-199 Year-2024 Thana- SANGRAMPUR District- Munger

Chandra Gupta Harsh Bardhan @ Chandra Gupta @ Harsh Bardhan Son of
Sri Poras Kumar Yadav Resident of Village - Prithwi Chak, P.S. -
Sangrampur, District - Munger

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Subodh Kumar Jha, Adv. Mr. Pranav Kumar Jha, Adv. Mr. Chandra Mohan Jha, Adv. Mr. Sarfaraz Hussain, Adv.
For the Opposite Party/s	:	Mr. Sanjay Kumar Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 02-12-2024 Heard the parties.

2. The petitioner is in custody in connection with Sangrampur P.S. Case No. 199 of 2024 for the offence punishable under Sections 126(2), 115(2), 352, 109 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 read with Section 27 of the Arms Act lodged on 23.09.2024 by the informant, Karuna Devi.

3. As per the prosecution story, the informant alleged that in the evening, when she came out of her house, after some abuse, the accused persons opened fire. An allegation is that this petitioner fired, which hit Roshan Kumar causing injury. So far as the other accused Poras Yadav is concerned, he has opened

fire which hit Abhishek Kumar. This led to the F.I.R.

4. Learned counsel for the petitioner submits that admittedly, there is land dispute. Further, there is case and counter case, the case of the petitioner being earlier one, this petitioner is a student having no criminal antecedent and with the help of injury report, it has been shown that the same has been found to be simple in nature by hard and blunt substance. Last submission is that without accepting the allegation and/or the outcome of the present petition in view of the fact that the informant's side has alleged injuries, the petitioner on its own would like to contribute Rs.5,000/- towards the medical assistance through Demand Draft issued by the local State Bank of India Branch to be submitted before the trial court to be handed over to the informant after checking the credentials.

5. Learned APP opposes the prayer for bail submitting that injury is there on Roshan Kumar.

6. Taking into account the aforesaid fact as also that there is a case and counter case, the petitioner is a student, has remained in custody since 23.09.2024 having no criminal antecedent, this Court is inclined to extend him the privilege of bail subject to payment of Rs.5,000/- as undertaken by the learned counsel for the petitioner to be paid by Demand Draft of

local State Bank of India to be submitted to the trial court.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Judicial Magistrate-1st Class-cum-A.M.-V, Munger, in connection with Sangrampur P.S. Case No. 199 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 and 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 six months to mark his attendance;

(iv) the petitioner shall in no 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 his bail bonds.

(Rajiv Roy, J.)

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