

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81949 of 2023

Arising Out of PS. Case No.-256 Year-2023 Thana- TEGHRHA District- Begusarai

Amresh Chaurasiya @ Amresh Kumar S/O Bahadur Chaurasia Village-
Alapur, Ps. Teghra, Dist. Begusarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ashok Kumar, Advocate
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP
	:	Mr. Bipin Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 24-01-2024 Heard Mr. Ashok Kumar, learned counsel for the petitioner and Mr. Amitesh Kumar, learned Additional Public Prosecutor for the State along with Mr. Bipin Kumar, learned counsel for the informant.

2. The petitioner is apprehending his arrest in connection with Teghra P.S. Case No. 256 of 2023, F.I.R. dated 20.08.2023 for the offences punishable under Sections 307, 120(B) and 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. According to prosecution case, the petitioner is said to have fired upon the victim.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the



allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. He further submits in the present occurrence no person was injured. He further submits that it appears from the FIR that the date of occurrence is 18.08.2023 but the present FIR instituted on 20.08.2023 after delay of two days without giving any explanation of delay. He submits that due to previous incident the present occurrence took place between the parties. He submits that the petitioner has no concern with Teghra P.S. Case No. 253 of 2022.

5. The learned Additional Public Prosecutor as well as learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner on the ground that there is direct and specific allegation against the petitioner to fire upon the victim.

6. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in connection with Teghra



P.S. Case No. 256 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

ajay/-

U		T	
---	--	---	--

