

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83747 of 2024

Arising Out of PS. Case No.-208 Year-2023 Thana- RAMGARH District- Kaimur (Bhabua)

Vishal Kumar, Male, aged about 22 years, S/o Mahendra Paswan, Resident of
village- Lalganj (Songhila/Sondhila), PS- Buxar (Muffasil), District- Buxar

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Manish Rai Sharma, Advocate

For the Opposite Party : Mrs. Sharda Kumari, A.P.P.

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

ORAL ORDER

2 04-12-2024 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Ramgarh
P.S. Case No. 208 of 2023 dated 18.06.2023 registered for the
offences punishable under Sections 307/34, 302 of the I.P.C. and
Section 27 of the Arms Act.

3. As per the prosecution case, when the informant was
on his way to home on his motorcycle then the co-accused
Gurucharan Chaudhary and two unknown miscreants riding on a
motorcycle overtook him. The co-accused Gurucharan
Chaudhary fired two rounds which hit the informant and
thereafter in course of treatment, the informant succumbed to
his injuries.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. The petitioner is neither named in the F.I.R. nor the informant has recognized the name of the petitioner nor T.I. Parade has been conducted. No incriminating article has been recovered from his possession. The name of the petitioner has come in the present case only on the basis of the confessional statement of the co-accused Guru Charan Chaudhary before the police which has got no evidentiary value in the eye of law. There is no specific allegation against the petitioner. The specific allegation of firing on the informant is against the co-accused Guru Charan Chaudhary. He has no concern with the alleged offence. The petitioner has two criminal antecedents and in one case, he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 29.08.2024.

5. Learned A.P.P. for the State has opposed the prayer for bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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



the learned A.C.J.M.-II, Mohania, Kaimur in connection with
Ramgarh P.S. Case No. 208 of 2023 with further condition:-

(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 bonds of the petitioner are
liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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