

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85414 of 2023

Arising Out of PS. Case No.-737 Year-2022 Thana- WAJIRGANJ District- Gaya

MD.CHHOTU @ SAJID KHAN @ BHOKRANA SON OF SALIM KHAN
@ MD. SALIM R/O VILLAGE- TARWAN, P.S.- WASZIRGANJ,
DISTRICT- GAYA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anand Kishore Sinha, Advocate

For the Opposite Party/s : Mr. Kanhaiya Kishore (APP)

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 29-01-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Wazirganj P.S. Case No. 737 of 2022 for the offence under sections 290 of the I.P.C. and 27, 35 of the Arms Act, lodged on 24.12.2022 by the informant, Rajan Kumar Giri.

3. As per the prosecution story, the Police came to know through news channel that on the occasion of reception, some of the accused persons were dancing and had opened fire. He was recognised as one Vicky Kumar. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that the person, Vicky Kumar against whom specific allegation of opening fire is made, has been granted relief vide Cr. Misc. No. 49388 of 2023 by a co-ordinate Bench.



5. Learned APP opposes the prayer.

6. Taking into account the submissions put forward by the parties as also the fact that Vicky Kumar has been granted relief, as stated above, the petitioner do not have criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Gaya, in connection with Wazirganj P.S. Case No. 737 of 2022 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her 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 month for one year 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.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

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