

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85446 of 2023

Arising Out of PS. Case No.-68 Year-2023 Thana- GHORASAHAN District- East
Champaran

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Rama Yadav @ Rama Kumar son of Radhey Shyam Roy RESIDENT OF
VILLAGE- BIJBANI P.S.- GHORA SAHAN, DISTRICT EAST-
CHAMPARAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

- 4 19-04-2024 1. Heard learned counsel for the petitioner as well as
learned APP for the State.
2. The petitioner seeks bail in anticipation of his
arrest in a case registered for the offences punishable under
Section 307 and 34 of the IPC and Section 27 of the Arms Act.
3. The learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and has been falsely
implicated in the instant case by the informant.
4. It is next submitted that the that the informant
alleges that while he was coming to his shop when he was
intercepted by two unknown persons who asked him to
surrender his belongings and when he said that he does not have
any belongings with him, when one of the accused fired causing



injury on his right cheek and neck.

5. The learned counsel submits that the FIR was against unknown and during the course of investigation Tuntun Kumar and Sandeep Kumar were arrested and in their confessional statement name of the petitioner transpired. It is further submitted that had the informant received firearm injury in that event the same would have been recorded in the order impugned, but then from perusal of the order impugned, it manifests that there is no discussion of the injury of the injured. It is also submitted that the informant got treated by a local doctor namely Dr. Arvind Kumar. It is next submitted that petitioner will not abscond rather will cooperate in the investigation. It is also submitted that petitioner is a person with clean antecedent.

6. The learned APP opposes the anticipatory bail application.

7. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the



satisfaction of the learned Additional Chief Judicial Magistrate, 3rd, Sikrahna at Motihari, East Champaran in connection with Ghora Sahan P.S. Case No.68 of 2023, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

8. The application stands allowed.

9. It is made clear that in the event if the Investigating Officer of the case files an application before the learned trial court bringing to its notice that the petitioner despite giving assurance to this Court is not cooperating in the investigation, in that event, the learned trial court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

10. Let a copy of this order be sent to the concerned P.S. through the learned Trial Court.

(Satyavrat Verma, J)

Prakash Narayan

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