

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16680 of 2025**

Arising Out of PS. Case No.-53 Year-2024 Thana- SARAIYA District- Muzaffarpur

Aman Kumar @ Aman Kumar Giri Son of Rakesh Giri Resident of Village -
Balmi Sirsiya, P.S. - Kalayanpur, District - East Champaran, Motihari

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar
For the Opposite Party/s : Mr.Prem Kumar Jha

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

ORAL ORDER

2 15-05-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Saraiya P.S. Case No. 53/2024 dated 26.01.2024 registered for the offence punishable u/s 307 read with 34 of the Indian Penal Code and Section 27 of the Arms Act.

3. As per the prosecution case, when the informant along with his brother was returning from his shop, four unknown miscreants boarded on two motorcycles started firing on them. To save their life, the informant and his brother entered nearby house, then the informant came to know that his brother has sustained firearm injury on his cheek. Thereafter, the



unknown miscreants started threatening the members of the house but when nearby people gathered, they fled away.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is a delay of three days in lodging the FIR. No T.I.P. has been conducted by the prosecution. The petitioner is not named in the F.I.R. The name of the petitioner has sprung up in the confessional statement of the co-accused, Pintu Yadav. The petitioner has five criminal antecedents as stated in para 3 of the bail petition. As per impugned order dated 19.11.2024, the petitioner is in custody since 15.04.2024. The co-accused person has already been granted regular bail by this Court vide order dated 24.09.2024 passed in Cr. Misc. No. 63188 of 2024.

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

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to 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 learned Court concerned, (West) Muzaffarpur in connection with Saraiya P.S. Case No. 53/2024, with the 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 bond of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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