

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23465 of 2025

Arising Out of PS. Case No.-305 Year-2024 Thana- KALYANPUR District- Samastipur

Ujjawal Kumar Shanu @ Shanu Kumar son of Aashutosh Kumar Chandan
Resident of village -Tira Jatmalpur PS- Kalyanpur Distt -Samastipur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shanti Bhushan Singh, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 02-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

02. In the present case, the petitioner seeks bail in connection with Kalyanpur P.S. Case No. 305 of 2024 registered for the alleged offences under Sections 126(2), 115(2), 352, 109, 308(3), 308(4), 3(5) of the Indian Penal Code.

03. As per prosecution case, petitioner and other co-accused persons along with four unknown persons had been consuming liquor and on seeing the informant, the petitioner abused and assaulted him and on gunpoint, snatched Rs. 16,670/-.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The FIR has been lodged after delay of three days and



there is no explanation for the same. No offence under Section 109 of BNS is made out against the petitioner as no injury report has been annexed. The allegations levelled against the petitioner is completely false and baseless and there would be no application of Section 308(3), 308(4) of BNS as there has been no extortion money being paid to the petitioner. Learned counsel further submits that as the petitioner is having antecedent of 08 cases, he has been made accused this case as well. The petitioner is on bail in 07 such cases. The petitioner is in custody since 17.12.2024 and charge-sheet has been submitted.

05. Learned APP for the State opposes the prayer for bail. Learned APP submits that the petitioner appears to be a habitual offender and there is specific allegation against the petitioner that he threatened the informant and took away Rs.16,670/-.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Samastipur in



connection with Kalyanpur P.S. Case No. 305 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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