

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29176 of 2025

Arising Out of PS. Case No.-61 Year-2024 Thana- AGIAON BAZAR District- Bhojpur

Golu Kumar @ Sanjeev Kumar @ Sanjeet Kumar S/o Badan Yadav R/o
Village - Kukraha, Bhojpur, PS - Agiaon Bazar, District - Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhay Kumar Thakur, Advocate
For the State	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 25-07-2025 Heard Mr. Abhay Kumar Thakur, learned counsel for the petitioner duly assisted by Mr. Arvnendra Kumar Thakur and Mr. Jitendra Kumar Singh, learned APP representing the State.

2. The petitioner is in custody in connection with Agiaon Bajar P.S. Case No. 61 of 2024 for the offence punishable under sections 341, 323, 307, 504, 506 and 34 of the Indian Penal Code and Section 27 of the Arms Act lodged on 04.05.2024 by the informant, Dabloo Kumar.

3. As per the prosecution story, the informant alleged that while he was returning on his motorcycle to home, the named accused persons stopped his vehicle. There was a quarrel whereafter allegation against this petitioner is of using pistol and opened fire which entered the stomach of the informant. He



ran toward the ditch but was again fired which however did not hit him. He was rushed to Arvindo Hospital and then the FIR.

4. Learned counsel for the petitioner submits that the trial is on and the informant Dabloo Kumar has been examined as PW-3 in which he has stated that he due to darkness, could not see who opened fire. Further submissions is that if granted relief, he shall be diligently appearing in trial, remained in custody since 10.06.2024 and the last submission is that without accepting the allegation or outcome of the present petition the petitioner on its own intends to pay Rs.10,000/- by Demand Draft to the informant towards treatment issued by the local branch of the State Bank of India.

5. Learned APP opposes the prayer for bail submitting that the allegation of opening fire is on this petitioner.

6. Taking into account the submissions of the parties as also that he has remained in custody since 10.06.2024, the informant has narrated the different story as recorded above and an undertaking has been given that he shall be diligently appearing in trial, in that background, this Court is inclined to extend him the privilege of bail subject to payment of Rs.10,000/- by Demand Draft to the informant issued by the local branch of State Bank of India and the receipt has to be



submitted before the Trial Court and after checking credentials to be handed over to the informant.

7. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Judicial Magistrate, First Class, Ara, in connection with Agiaon Bajar P.S. Case No. 61 of 2024 subject to the following conditions:

(i) one of the bailor should be the family member/relative 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 fortnight till the conclusion of the trial 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.

(Rajiv Roy, J)

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