

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35169 of 2025

Arising Out of PS. Case No.-202 Year-2024 Thana- GAURICHAK District- Patna

Md. Danish @ Shalu Son of Md. Haidar Resident of village - Sadar Gali, Lal
Toli More, P.S.- Khajekalan, District - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Pramod Kumar, Advocate
For the State	:	Ms.Meena Singh, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 29-05-2025 Heard learned counsel for the petitioner and
learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail in connection with
G.R. No. 1806/2024 arising out of Gaurichak P.S. Case No.
202/20224 registered for the offences under Section 302/34
of the Indian Penal Code and Section 27 of Arms Act.

3. As per the prosecution case, the son of the
informant was called by few persons for having a talk.
Subsequently, it is alleged that the informant also went
behind him on a tempo and found that 10-12 persons had
surrounded the son of the informant and thereafter it is
alleged that the co-accused Madan Kumar fired on the head
of the informant while the accused Ram Kumar fired a



bullet on the head of the informant's son and subsequently, Bimlesh Singh is alleged to have fired upon the son of the informant.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has surfaced in the confessional statement of one co-accused Ram Sevak. Learned counsel further submits that there is no specific allegation of overt act against the petitioner. Learned counsel for the petitioner submits that similarly situated co-accused namely Chhotu Kumar and Nitish Kumar have been granted bail by a Co-ordinate Bench of this Court vide order dated 27.01.2025. It is lastly submitted that the petitioner has four criminal antecedents and is in custody since 19.11.2024.

5. Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the name of the petitioner has surfaced in the confessional statement of co-accused Madan Kumar.

6. Considering the aforesaid facts and circumstances of the case and taking into account that similarly situated co-accused namely Chhotu Kumar and



Nitish Kumar have been granted bail by a Co-ordinate Bench of this Court vide order dated 27.01.2025, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial Magistrate-VI, Patna City in connection with G.R. No. 1806/2024 arising out of Gaurichak P.S. Case No. 202/20224 subject to the conditions :-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two 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.
- d. The Court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court



below shall take step for cancellation of
bail bond of the petitioner. However, the
acceptance of bail bonds in terms of the
afore-mentioned order shall not be delayed
for purpose of or in the name of
verification.

(Sourendra Pandey, J)

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