

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.88859 of 2024**

Arising Out of PS. Case No.-85 Year-2023 Thana- CHARPOKHARI District- Bhojpur

Bishnu Ray @ Bishnu Pandey, Son of Sudarshan Ray, Resident of Village-  
Nirbhay Dihara, PS -Sikarhata, District -Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Ms. Vaishnavi Singh, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

2      10-01-2025                      Heard Ms. Vaishnavi Singh, learned Advocate for the  
  
petitioner and the learned APP for the State.

2. The petitioner seeks regular bail, who is in custody in connection with Charpokhri P.S. Case No. 85 of 2023 registered for the offence punishable under Sections 323, 325, 341, 307, 379, 504, 147, 148, 149 of the Indian Penal Code and 27 of the Arms Act.

3. This is the third attempt made on behalf of the petitioner; earlier the prayer for bail of the petitioner was turned down by this Court in Cr. Misc. No. 69675 of 2023 and further in Cr. Misc. No. 54301 of 2024; after taking into consideration the specific accusation of causing fire arm injury to the informant, coupled with his criminal antecedents in nine cases.

4. Learned Advocate for the petitioner urged before this Court that while rejecting the prayer for the bail of the petitioner

on the last occasion vide order dated 25.09.2024, liberty was granted to the petitioner to renew his prayer of bail after framing of charge. Referring to Annexure-6 to the bail application, it is submitted that now the charges have already been framed and the petitioner undertakes that he will fully cooperate in the proceeding of the Court. It is also contended that co-accuse Saurabh Pandey against whom there was allegation that he caught hold the injured, has been allowed the privilege of bail by the learned Court below itself.

5. On the other hand, learned APP for the State vehemently opposes the bail application and submits that the serious allegation of causing fire arm injury has been levelled against the petitioner and it appears be he is a habitual offender, having nine criminal antecedents.

6. Regard being had to the submissions made on behalf of the parties and considering the observation made by this Court and giving liberty to the petitioner to renew his prayer for bail after framing of charge, coupled with the period of custody since 17.05.2023 and the undertaking that he will cooperate in the proceeding of the Court, let the petitioner, named above, be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees twenty-five thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Judge Xth, Ara in

connection with Charpokhri P.S. Case No. 85 of 2023, subject to the condition that one of the bailors will be the close relatives of the petitioner with further conditions which are as follows:-

(i) The petitioner will cooperate in conclusion of the trial.

(ii) He will remain present on each and every date of trial till disposal of the case.

(iii) He will not try to tamper with the evidence or intimidate the witnesses to delay the disposal of trial.

(iv) In the event of default of two consecutive dates without any cogent reason, his bail bonds will liable to be cancelled.

(v) 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 immediate step for cancelling the bail bond of the petitioner. However, the acceptance of bail bonds, in terms of the above-mentioned order, shall not be delayed for this purpose or in the name of verification.

**(Harish Kumar, J.)**

Jyoti Kumari/-

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