

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89810 of 2024

Arising Out of PS. Case No.-358 Year-2024 Thana- BEGUSARAI MUFFASIL District-
Begusarai

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Ram Babu Kunwar S/o Late Ram Surat Kunwar R/o Village Kaithma Ward
No 19, P.S.- Muffasil, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Suruchi Anand, Advocate
For the Opposite Party/s : Mr.Dashrath Mehta, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 05-02-2025 Heard Ms.Suruchi Anand, learned counsel for the

petitioner, learned counsel for the informant and Mr.Dashrath

Mehta, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
09.10.2024 in connection with Begusarai Muffasil P.S. Case
No.358 of 2024, F.I.R. dated 08.10.2024 registered for the
offence punishable under Sections 126(2)/ 115(2)/ 308(5)/352/
351(2)/ & 3(5) of the B.N.S. & Section 27 of the Arms Act.

3. Allegation against the petitioner is that he fired
upon the informant due to which she failed on the ground and
she remained alive.

4. Learned counsel appearing for the petitioner
submits that the petitioner has clean antecedent and he has



falsely been implicated in the present case. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR and from a bare perusal of the FIR it appears that the allegation against the petitioner is that he fired upon the informant. Learned counsel for the informant submits that in fact no such occurrence had taken place and due to previous enmity the informant has filed the false case against the petitioner and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 09.10.2024.

5. Learned counsel for the informant and learned APP for the State have opposed the prayer for bail of the petitioner and submits that there is specific allegation against the petitioner in the FIR that he fired upon the informant.

6. Considering the aforesaid fact, petitioner has clean antecedent and the allegation as alleged in the FIR is not supported by the medical evidence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Begusarai in connection with Begusarai Muffasil P.S. Case No.358 of 2024, with the following conditions:-



(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that 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 above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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