

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.18985 of 2015

Arising Out of PS.Case No. -60 Year- 2014 Thana -KASIMBAZAR District- MUNGER

1. Nawal Kishore Das Son of Sadho Das resident of village- Mubarak Chak (Harijan Tola), P.S.- Muffasil, Distt.- Munger

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Kamal Nayan

For the Opposite Party/s : Mr. Ajit Kumar (App)

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

2 16-06-2015 Heard learned counsel for the petitioner and the State.

In this case, petitioner is seeking bail in Kasim Bazar P.S.Case No. 60 of 2014 registered u/s 302/34 IC and 27 of the Arms Act.

As per the FIR on 11th April 2014 the informant and his mother were coming by tempo at the P.O. accused persons stopped the tempo, Shankar Pandit and Rahul Kumar fired at the mother of the informant who succumbed to the injuries. Name of petitioner has surfaced during investigation, other similarly situated persons have been granted bail by this Court vide Cr.Misc.Nos. 42304 of 2014 and 6688 of 2015.

Counsel for the petitioner submits that petitioner has not been named in the FIR and there is no allegation of firing.

In the facts and circumstances of the case, petitioner Nawal Kishore Das is directed to be released on bail on his furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Sri Raj Kumar Srivastava, Addl. Sessions Judge-I, Munger in connection with Kasim Bazar P.S.Case No. 60 of 2014 (S.T.No. 56 of 2015), subject to the conditions:

(i) one of the bailors will be a close relative of the petitioner,

(ii) if the petitioner would be found involved in similar type of case in future, prosecution will be at liberty to file application for cancellation of bail and the court below will pass necessary order, including cancellation of bail bonds and

(iii) that the petitioner would co-operate and if the petitioner will fail to co-operate in the proceeding of the court and will remain absent for two consecutive dates without reasonable explanation, the court will pass appropriate order, including cancellation of bail bonds.

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(Shivaji Pandey, J)