

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51993 of 2014

Arising Out of PS.Case No. -17 Year- 2012 Thana -PANDARAK District- PATNA

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1. Vijay Kumar @ Vijay Rai son of Narayan Rai resident of Village -
Mekra Naya Tola, P.S. - Mokama, District - Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Jha

For the Opposite Party/s : Mr. Braj Kishore Prasad (App)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 04-03-2015 Heard the learned counsel for the petitioner as well as
the learned A.P.P.

The petitioner seeks bail in a case for the offences
punishable under sections 302/120B and 34 of the I.P.C and
section 27 of the Arms Act.

In the FIR the petitioner has been figured as the
assailant of Amarjeet but during investigation the petitioner was
found innocent and accordingly he has not been charge-sheeted.

Submission is of false implication and that due to
Panchayat election the petitioner has been implicated due to
animosity. After completing investigation final form has been
submitted against the petitioner but the learned court below has
taken cognizance and accordingly the petitioner is suffering in

custody since 01.10.2014.

The learned A.P.P. duly assisted by the learned counsel for the informant opposes the prayer for bail by submitting that the petitioner is the assailant.

Be that as it may, as the final form has been submitted against the petitioner and as such the petitioner is directed to 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 A.C.J.M. Barh in Pandarak P.S. Case No. 17 of 2012, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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