

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No. 8776 of 2015

Arising Out of PS.Case No. -361 Year- 2013 Thana -PALIGANJ District- PATNA

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Dinesh Singh, Son of Late Jagarnath Singh, resident of village- Chakiya, P.S.-
Paliganj, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date: 13-04-2016

Heard learned counsel for the parties.

The petitioner seeks bail in Paliganj P.S. Case
No. 361 of 2013 dated 29.01.2013 instituted under Sections
307/147/148/149/323/504/326 of the Indian Penal Code and
27 of the Arms Act.

This is the second attempt of the petitioner for
bail as earlier such prayer was rejected by order dated 21.08.2014
in Cr. Misc. No. 11268 of 2014.

Learned counsel submits that having clean
antecedent, he is in judicial custody since 30.12.2013. It is
further submitted that he is in Government service and was at his
house in the night when the police came and arrested him on
30.12.2013 and if he had been guilty, he would have run away
and not be present at his house. It is further submitted that even
if the prosecution story is believed to be true as per the *fardbeyan*
itself, the altercation was at the spur of the moment without there

being any premeditated mind to commit an offence. Learned counsel submits that the petitioner is ready to abide by any condition and as the chargesheet has been submitted, the petitioner may not be kept behind bars and he shall cooperate in the trial.

Learned A.P.P. opposes the prayer for bail.

Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M., Danapur, Patna in Paliganj P.S. Case No. 361 of 2013. The petitioner shall cooperate in the trial and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall lead to cancellation of his bail bonds.

(Ahsanuddin Amanullah, J.)

P. Kumar

AFR/NAFR	
CAV DATE	
Uploading Date	
Transmission Date	