

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.8288 of 2016

Arising Out of PS.Case No. -264 Year- 2015 Thana -CHOUTARWA District-
WESTCHAMPARAN(BETTIAH)

=====

Raushan Kumar @ Raushan Kumar Pandey Son of Vijay kumar Pandey
Resident of Village- Majhauriya, Police Station- Majhauriya, District West
Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar No.-7

For the Opposite Party/s : Mr. M.Rub(App)

=====

CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 21-04-2016 Heard learned counsel for the petitioner and learned
counsel for the State.

In this case, the petitioner is seeking bail in connection with Chautarwa P.S. Case No. 264 of 2015 registered for offences under sections 147, 148, 149, 326, 307, 109 of the Indian Penal Code and section 25(1-b)A, 26, 27, 35 of the Arms Act.

Allegation has been made that the petitioner and his associates raided the house of the informant and resorted indiscriminate firing. Allegation has been made against Manoranjan Singh to have caused injury in the back, Deepak Mishra caused fire arms injury in the left hand and Rajan Mishra

caused injury in the chest of the victim

Allegation has been made that the petitioner and other-Navnit Tiwari were involved in indiscriminate firing and they were arrested at the spot. From the possession of the petitioner, a country-made pistol was also recovered.

The counsel for the petitioner submits that Navnit Tiwari who was arrested at the spot, has already been granted bail by this Court in Cr. Misc. No. 8651 of 2016 and Chhote Rao @ Chhotu Rao who had, by and large, similar case, has already been granted bail by this Court in Cr. Misc. No. 197 of 2016.

In such view of the matter, let the petitioner, above named, 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 learned Additional Chief Judicial Magistrate, Bagaha, West Champaran in connection with Chautarwa P.S. Case No. 264 of 2015, subject to the condition that (i) one of the bailors shall be a close relative of the petitioner (ii) if the petitioner is found involved in future in similar type of case, the prosecution will be at liberty to make prayer for cancellation of his bail and the court below will pass necessary order, including cancellation of bail (iii) the petitioner would in cooperate the proceeding of the court below. In event of failure to appear on two

consecutive dates, the court below will be at liberty to pass the order, including cancellation of bail bonds and whenever the Police will call the petitioner for investigation/interrogation, he would present. If he would not present himself, the privilege of the bail will be deemed to have been cancelled.

(Shivaji Pandey, J)

Mahesh/-

U		T	
---	--	---	--