

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.9316 of 2016

Arising out of PS.Case No. -214 Year- 2015 Thana -GAYA KOTWALI District- GAYA

Raushan Kumar, S/o Nawal Kishore Prasad, R/O Ramdhanpur, P.S.- Kotwali, District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

Appearance :

For the Petitioner : Mr. Shruti Sinha, Advocate.

For the Opposite Party : Mr. Pronati Singh (App)

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 24-02-2016 Heard learned counsel for the petitioner and learned counsel for the State.

On the earlier occasion, the petitioner was granted bail vide Cr. Misc. No. 38260 of 2015 dated 07.10.2015 taking into account that the specific allegation was against one Ranjan Yadav who is alleged to have fired upon the deceased. No specific allegation was attributed against the petitioner. General and omnibus allegation was made.

As far as the petitioner is concerned, the said bail was granted with a direction to the court below to verify whether the petitioner has got any criminal antecedent or not? In case, if the court below finds that there is criminal antecedent against the petitioner then his bail bond was not to be accepted. Thereafter, a

second application was made on behalf of the petitioner which was disposed of vide Cr. Misc. No. 56013 of 2015 dated 16.12.2015 where it was submitted that due to inadvertent mistake incorrect statement was made on behalf of the petitioner in respect to criminal antecedent of the petitioner. The petitioner has got criminal antecedent and for the said reason his bail bond was not accepted by the court below and for the said reason the second application was made on behalf of the petitioner. The said application was rejected with an observation “for the present”.

The present application is the third attempt on behalf of the petitioner. I think, for the mistake made on the part of the petitioner, he has sufficiently been punished.

Considering the earlier observation, 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 the learned C.J.M., Gaya, in connection with Kotwali P.S. Case No. 214 of 2015.

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(Sudhir Singh, J)