

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.19508 of 2017

Arising Out of PS.Case No. -27 Year- 2015 Thana -PIRPAINTI District- BHAGALPUR

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1. Md. Humayun @ Md. Himayun Son of Late Basiruddin @ Tandel,
Resident of village - Rajganj, P.S. Pirpainty, District - Bhagalpur

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shiwesh Chandra Mishra

For the Opposite Party/s : Mr. Sanjay Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 03-05-2017 Heard the parties.

The petitioner seeks regular bail in connection with Pirpainty P.S.Case No.27 of 2015, registered for offences punishable under Sections 147, 148, 149, 452, 341, 323, 307, 379, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner and other accused persons is that they entered inside the house of the petitioner and the petitioner fired, however, it did not hit anybody. Further allegation is that he snatched Rs.60,000/- and jewellery also.

It is submitted on behalf of the petitioner that he has been falsely implicated in this case and now he is in custody for about four months and even as per F.I.R., the firing did not hit anybody.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, and there is no injury, as such, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of A.C.J.M.-XI, Bhagalpur in connection with Pirpainty P.S.Case No.27 of 2015.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and on the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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