

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.19607 of 2017

Arising Out of PS.Case No. -174 Year- 2015 Thana -KATORIA District- BANKA

=====

Praveen Kumar Verma Son of Mahendra Saw @ Mahendra Pd. Sah,
Resident of Village- Kusum-Jori, P.S.- Chandan (Anandpur O.P.), District-
Banka..... Petitioner

Versus

The State of Bihar Opposite Party

=====

Appearance :

For the Petitioner/s : Mr. Satya Prakash Parasar

For the Opposite Party/s : Mr. Sri S. Ehteshamuddin

=====

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

5 03-07-2017 Heard learned counsel for the petitioner and learned APP
representing the State.

The petitioner seeks bail in connection with Katoria (Suiya)
P.S. Case No. 174 of 2015 registered for the offences punishable under
Sections 394, 323, 435, 427, 120B, 504/34 of the Indian Penal Code
and Sections 25(1-b)a, 27 of the Arms Act.

Allegedly, in the mobile shop of the informant two persons
came, one person broke the showcase with the butt of the pistol, second
miscreant assaulted the informant and they took away 12-15 new
mobiles and one Laptop. Two other miscreants made 3-4 firing. The
informant any how escaped and after taking bottle of patrol and after
igniting the same rushed towards the accused persons then the accused
persons fled away after leaving one country made pistol, one live
cartridge, two used cartridge and one misfired cartridge at the place of
occurrence. Due to previous enmity with Ajay Barnwal he has been
named in the FIR with others. During investigation the name of the



petitioner and others transpired that their names were taken by Mantu Khaira co-accused and further the petitioner has confessed his guilt.

Submission is of false implication and that without any fault the petitioner is suffering in custody, other co-accused namely, Anil Yadav, Ashok Tanti and Vimal Yadav whose name has been taken by witnesses Pradeep Barnwal and Vivekanand Barnwal have already been allowed bail by the court below itself whereas prayer of bail of the petitioner has been refused only on the basis that the petitioner has got criminal antecedent and he confessed his guilt.

Learned APP opposes the prayer of bail.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M. Ist, Banka in connection with Katoria (Suiya) P.S. Case No. 174 of 2015, 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)

avin/-

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

