

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.31812 of 2017

Arising Out of PS.Case No. -531 Year- 2016 Thana -KANTI THARMAL POWER District-
MUZAFFARPUR

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Mahesh Bhagat Son of Gokul Bhagat, Resident of village- Gosai Tola, P.S.-
Kanti, District- Muzaffarpur.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Mishra

For the Opposite Party/s : Sri Chandrasen Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 01-08-2017 This application is for grant of regular bail in connection
with Kanti P.S. Case No. 531 of 2016 registered for the offence(s)
under section(s) 147, 148, 149, 307, 302 of the Indian Penal Code and
section 27 of the Arms Act.

Allegation against the petitioner is that he along with
other accused persons open fired causing injury to the husband of the
informant who, later on, succumbed to the injury.

In this case, one injured was examined, which has been
mentioned in paragraph 35 of the case diary and he has named only two
persons, but not named this petitioner and only one injury was found
during the course of *Post Mortem* of the deceased, which has come in
paragraph 51 of the case diary. Further submission is that the petitioner
is in custody for about 4 ½ months

Heard learned Additional Public Prosecutor also.



Having heard both sides and in view of the facts and circumstances, as stated above, this application is allowed.

Let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/-(Rs. Twenty five thousand) with two sureties of the like amount each to the satisfaction of the learned Sub-Divisional Judicial Magistrate, West Muzaffarpur in connection with Kanti P.S. Case No. 531 of 2016, subject to the 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 cooperate 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 rhyme or reasons, the prosecution will have liberty to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

Mahesh/-

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