

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36318 of 2017

Arising Out of PS.Case No. -7 Year- 2017 Thana -BIND District- NALANDA (BIHARSHARIFF)

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1. Rakesh Kumar @ Rakesh Mahto S/o Arjun Prasad Resident of village - Sadarpur, Police Station - Bind, District - Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Sharma

For the Opposite Party/s : Mr. Sanjay Kumar Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 25-08-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with S.T. No. 278/17, arising out of Bind P.S. Case No. 07/2017 for offences punishable under Section 307 and other allied Sections of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is that the petitioner used to threaten her and talked on her mobile on 21.01.2017 thereafter on the same night four unidentified miscreants entered her house and inflicted fire-arm blow on which she was severely injured.

It has been submitted by the learned counsel for the petitioner that he is innocent, not present at the place of occurrence as he was in custody since 18.01.2017 in connection



with Bind P.S. Case No. 159/2016 and could not have been present on 21.01.2017 on the alleged date of occurrence. He submits that it is only on the basis of suspicion that he has been made accused and that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned 1st Addl. Sessions Judge, Nalanda at Biharsharif, in connection with S.T. No. 278/17, arising out of Bind P.S. Case No. 07/2017, subject to the condition that one of the bailors would be a close relative of the petitioner and that petitioner will appear before the learned court below during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/-

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