

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53267 of 2017

Arising Out of PS.Case No. -324 Year- 2016 Thana -JAGDIHSPUR District- BHOJPUR

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Brajesh Singh @ Brijesh Singh @ Bijesh Singh, S/o Bhagwan, R/o Village-
Awashan Tola, P.S.- Jagdishpur, District- Bhojpur.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Mukesh Kumar No-1

For the Opposite Party/s : Mr. Sri Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 09-11-2017

Heard the learned counsel for the petitioner.

The petitioner seeks regular bail in connection with Jagdishpur PS case no. 324 of 2016 registered for the offences punishable under Sections 307, 302 and other sections of Indian Penal Code and Sections 25(1-b)a, 26, 27 of Arms Act.

The case of the informant is that while he was working in his agricultural field, the petitioner herein was taking the tractor through his field whereafter, he had told him not to do so whereupon, the petitioner had abused him. Thereafter, the accused persons started assaulting the informant and one Birendra Singh fired from his gun causing injury to some of the persons of the informant side.

The learned counsel for the petitioner submits that as far as the petitioner is concerned, there is no allegation of any specific overt act against him as has also been noticed by this



Court in order dated 13.07.2017 passed in Cr.Misc. no. 31777 of 2017. In the said order, which was passed on the anticipatory bail petition filed by the petitioner herein, it has been observed that the petitioner may surrender before the learned trial court and the learned trial court would consider the prayer for regular bail taking note of the fact that the co-accused persons have already been granted bail by this Court. It is further submitted that the learned trial court without honouring the said observation of this Court, has dismissed the regular bail of the petitioner and he is languishing in custody since 30.08.2017. It is further submitted that the petitioner has clean antecedent.

Having regard to the facts and circumstances of the case, more particularly, the fact that the co-accused persons have already been granted bail and there is no allegation of any specific overt act against the accused persons, I deem it fit and appropriate to enlarge the petitioner on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of Addl. Chief Judicial Magistrate-XI, Bhojpur at Ara in connection with Jagdishpur PS case no. 324 of 2016.

(Mohit Kumar Shah, J.)

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