

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.17986 of 2017

Arising Out of PS.Case No. -169 Year- 2016 Thana -RAXAUL District- EASTCHAMPARAN
(MOTIHARI)

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Pran Kumar Gupta, Son of Late Baldeo Sah, resident of Village
Mohalla- Naga Road, Sheopuri Mohalla: Police Station- Raxaul, District-
East Champaran.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Dilip Kumar Tondon, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 12-04-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 20.10.2016 in connection with Raxaul P.S. Case No. 169 of 2016 for the offences alleged under Sections 302, 120B/34, 324 and 307 of the Indian Penal Code and Section 27 of the Arms Act and also Sections 3/4 of the Explosive Substances Act.

3. It is submitted that the petitioner has been falsely implicated in a case in which 14 persons have been named and 4-5 unknown. The specific accusation of assault and firing is against other accused persons and no overt act has been attributed to the petitioner. Statement is made at the Bar that similarly situated co-accused Niranjana Paswan @ Firoz Paswan has been granted bail by this Court in Cr. Misc. No. 5511 of 2017. The petitioner is on bail in respect of only one prior case in which he has been made accused.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction



of learned Sub-Divisional Judicial Magistrate, Raxaul at Motihari in connection with Raxaul P.S. Case No. 169 of 2016 with the following conditions:-

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

B.T/Chandran

(Vikash Jain, J)

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