

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.16762 of 2017

Arising Out of PS.Case No. -144 Year- 2016 Thana -BELHAR District- BANKA

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Gaurav Kumar Singh @ Kumar Gaurav Son of Sri Arvind Prasad Singh @
Arvind Kumar Singh, resident of Village- Bahorana, P.S. - Belhar (Khesar),
District - Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma

For the Opposite Party/s : Smt. Veena Kumari Jaiswal

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 20-04-2017 Heard the parties.

The petitioner seeks regular bail in connection with Belhar (Khesar) P.S.Case No.144 of 2016, registered for offences punishable under Sections 147, 148, 149, 341, 324, 323, 307, 379, 504 and 506 of the Indian Penal Code and later on added Section 302 of the Indian Penal Code .

Allegation against the petitioner and other accused persons is general and omnibus in nature and the case is under Section 302 of the Indian Penal Code.

It is submitted on behalf of the petitioner that in the post mortem report, two injuries have been found on the person of the deceased and there are general and omnibus allegation of assault against several persons including the petitioner and other accused-



persons have been granted bail by this Court, vide order dated 08.02.2017 passed in Cr. Misc. No.3253 of 2017.

It is further submitted on behalf of the petitioner that the accused persons are delaying in trial of the case.

Heard learned A.P.P. and the learned counsel for the informant. Learned counsel for the informant has opposed the prayer for bail.

Having heard both sides and in view of the fact that there is general and omnibus allegation against the petitioner and other accused persons, who have been granted bail by this Court, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of C.J.M., Banka in connection with Belhar (Khesar) P.S.Case No.144 of 2016.

With 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.
- (ii) The petitioner shall co-operate 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 reasons, the prosecution is free to move for cancellation of his bail.



It is also submitted by the learned counsel for the informant that trial of some of the accused persons has already commenced.

Considering this aspect of the matter, let the case of this petitioner along with other co-accused persons be also committed to the court of Session and amalgamated with the original case so that the trial of the petitioner may also be conducted along with other accused persons. It is needless to say that all the accused persons have to co-operate in disposal of the trial.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

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