

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39404 of 2017

Arising Out of PS.Case No. -121 Year- 2017 Thana -PHULPARAS District- MADHUBANI

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Ashok Biraji, son of Ram Sevak Biraji, resident of Village- Kalapatti Barhi, P.S. Phulpras, District- Madhubani.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav with
Mr. Vinod Kumar, Advocates

For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-08-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with Phulpras P.S.Case No. 121 of 2017 registered for the offences punishable under Sections 147, 148, 149, 323, 324, 326, 307, 504 of the Indian Penal Code and 27 of the Arms Act.

Allegation against the accused persons, including the petitioner is of firing.

Submission of learned counsel for the petitioner is that FIR itself shows that firing made by the petitioner did not hit any one, whereas by the firing made by other accused person the informant has received injuries. Further submission is that similarly situated co-accused have been granted bail by a co-ordinate Bench of this Court in Cr.Misc.No. 37365 of 2017, vide



order dated 23.8.2017 and petitioner is in custody since 9.6.2017.

Heard learned APP also.

Having heard both sides and in view of facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate-II, Jhanjharpur, Madhubani, in connection with Phulpras P.S. Case No. 121 of 2017, subject to the conditions that :-

- (i) one of the bailors shall be a local person having sufficient immoveable properties within the jurisdiction of court concerned,
- (ii) petitioner shall appear in court on each and every date fixed and on failure to appear without any genuine ground or without permission of court, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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