

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36624 of 2017

Arising Out of PS.Case No. -34 Year- 2017 Thana -BARH District- PATNA

=====

1. Sonu Kumar Son of Jogendra Yadav, R/o Village- Bhatgaon, P.S.- Barh,
District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Opposite Party/s : Mr. Sri Panchanand Pandit

=====

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 30-08-2017

Heard the parties.

The petitioner seeks regular bail in connection with Barh P.S.Case nO.34 of 2017 , registered for offences punishable under Sections 341, 323, 307, 504 of the Indian Penal Code, Section 25(1-b)a/26 of the Arms Act and Section 37 of the Excise Act, 2016.

Allegation against the petitioner is that in the drunken condition, he fired on the informant and others that misfired and he abused them also. The petitioner was arrested with a loaded pistol and the same has been produced before the police.

Submission of the learned counsel for the petitioner is that though the F.I.R. itself shows that there is no injury to the informant or any other person. Further submission is that the petitioner is named in two other cases also but those are not related to Excise Act and the petitioner is in custody for about



seven months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged 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 learned Special Judge, Excise, Patna in connection with Barh P.S.Case No.34 of 2017.

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.
- (iii) The petitioner shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.
- (iv) If his active participation is found in cases of excise or under the Arms Act, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid observation, this application is allowed.

(Vinod Kumar Sinha, J)

chn/-

U		T	
---	--	---	--

