

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.34494 of 2017

Arising Out of PS.Case No. -115 Year- 2016 Thana -PUSA District- SAMASTIPUR

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1. NISHANT KUMAR @ NISHANT @ VIRU KUMAR @ VIRU @
BINOD KUMAR Son of Sanjay Sharma @ Sanjay Kumar Sharma, R/o
Village- Dighara, P.S.- Pusa, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Sri Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-08-2017 The petitioner seeks regular bail in connection with Pusa
P.S. Case No. 115 of 2016, registered for offences punishable
under Sections 341, 323, 324, 307/34 of the Indian Penal Code
and Section 27 of the Arms Act.

Allegation against the petitioner and other co-accused is
of firing on the informant causing injury to him.

It has been submitted on behalf of the petitioner that he
has not been named in the F.I.R, his name has been dragged in this
case on the restatement of the informant but that too on the basis
of suspicion and apart from that there is own confessional
statement of the petitioner, which has no evidentiary value.
Further petitioner has been in judicial custody since 13.02.2017.

Heard learned A.P.P. also.

Having heard both sides, in view of the above facts, let



the petitioner above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of learned ACJM – VI Samastipur, in connection with Pusa P.S. Case No. 115 of 2016, subject to the 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 cooperate 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.

(Vinod Kumar Sinha, J)

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