

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35054 of 2017

Arising Out of PS.Case No. -271 Year- 2016 Thana -SHASTRINAGAR District- PATNA

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1. Subhankar Son of Ajay Kumar Singh, R/o Mohalla- Shivpuri, Behind
Ganga Market, P.S.- Shastrinagar, Town, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anjani Parashar

For the Opposite Party/s : Mr. Uma Shankar Prasad Singh

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 14-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
17.02.2017 in connection with Shastrinagar P.S. Case No.
271/2016 for offences punishable under Section 307 and other
allied Sections of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while he was going along with his friend towards Boring
Road, petitioner along with eight other persons assaulted him and
his friend. Specific allegation upon the petitioner is of giving knife
blow on the abdomen of the informant.

It has been submitted by the learned counsel for the



petitioner that he is innocent, he along with other co-accused and the informant and his friend are all students of Intermediate and for some petty reason the said incident took place. He submits that the place of occurrence, as stated in the First Information Report, is different from what has been found, which makes the prosecution story doubtful. He further submits that the charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and as many as four cases are pending against him earlier some of similar nature.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Sub-Judge-IV cum ACJM, Patna, in connection with Shastrinagar P.S. Case No. 271/2016, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner.
- (ii) Petitioner will appear before the learned court below



during trial as and when required and failure to appear on two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

- (iii) If the petitioner indulges in an offence of similar nature in future, the prosecution will be at liberty to move the learned court below for cancellation of his bail bonds.
- (iv) Petitioner will appear before the concerned police station in the first week of every month.

(Nilu Agrawal, J)

Rajesh/-

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