

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42900 of 2017

Arising Out of PS. Case No.-221 Year-2017 Thana- ALAMGANJ District- Patna

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Naveen Kumar @ Navin Kumar, Son of Late Ram Sagure Sharma, Resident of Village- Alamganj, Chowki (Kedar Nath Math), P.S.- Alamganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manindra Kishore Singh
For the Opposite Party/s : Mr. ATUL CHANDRA

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI SHARAN SINGH

ORAL ORDER

2 19-09-2017 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor representing the State of Bihar.

This application, for grant of anticipatory bail, arises out of Alamganj Police Station Case No. 221 of 2017, disclosing offences under Sections 147, 149, 341, 323, 504, 506 and 153A of the Indian Penal Code.

Learned Counsel for the petitioner has submitted that except for the alleged offence under Section 153A of the Indian Penal Code, all other sections are bailable. He contends, referring to the First Information Report, that the assertion of the informant that the entire occurrence has been captured in C.C.Tv, installed in the petitioner's house, belies the allegation that the occurrence had taken place near the informant's house.



There is nothing to show that the house of the informant and the petitioner are not located in a manner that C.C.Tv. Camera, installed in the house of the petitioner, cannot capture the occurrence, which evidently took place near the house of the informant.

However, since the allegation constituting offence under Section 153A of the Indian Penal Code, as made in the First Information Report, appears to be vague, this application is allowed.

Let the petitioner, Naveen Kumar @ Navin Kumar, in the event of his arrest or surrender before the Court below within a period of six weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Patna City, Patna, in connection with Alamganj Police Station Case No. 221 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure, 1973.

This is subject to the condition that the petitioner shall present himself before the Police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court below on two consecutive occasions,



his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J)

Prabhakar Anand/-

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