

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.12457 of 2017

Arising Out of PS.Case No. -222 Year- 2015 Thana -NAUBATPUR District- PATNA

=====

1. Mukesh Kumar, son of Ram Chhapit Yadav, resident of village- Aropur
(Anantpur), Police Station- Naubatpur, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, APP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5/ 21-06-2017

Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The Petitioner seeks bail in Naubatpur P.S. Case
No.222 of 2015 instituted for the offence under Section(s) 341,
323, 504, 307/34 Indian Penal Code and Section 27 of the Arms
Act.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 06.02.2016

A report was called for from the Court below about
the latest stage of the trial, which has been received. From the
report of the Court below, it appears that the case is pending for
appearance of one of the co-accused, Ravi Kumar @ Ravi Ranjan,
and the case has also not been committed to the Court of Sessions.

As per written report, the petitioner is alleged to have
caused fire arm injury in the stomach of the informant.



Case diary has been received in which Injury Report is available at para 66. The doctor has found lacerated wound $\frac{1}{2}$ " x $\frac{1}{2}$ " over anterior abdominal wall. It is mentioned in the Injury Report that nature and cause of injury may be obtained from the Medical Officer where initial treatment was done, but no final opinion was obtained by the police as appear from the case diary.

In such circumstances, keeping in view the period spent by the petitioner in custody and the fact that till date case has not been committed to the Court of Sessions, prayer of the petitioner for grant of bail is allowed. Let the Petitioner, above named, be released on bail on furnishing bail bond of ₹10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, II, Danapur, in connection with Naubatpur P.S. Case No.222 of 2015, subject to the conditions that both the bailors shall be the close relative of the petitioner.

The petitioner will remain physically present on each date of trial and two consecutive defaults without any reasonable cause will make bail bond of the petitioner cancelled.

(Sanjay Priya, J)

JA/-

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

