

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.26754 of 2017

Arising Out of PS.Case No. -601 Year- 2016 Thana -ARA NAGAR District- BHOJPUR

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1. Abhishek Kumar @ Abhishek Singh @ Vikky Son of Sri Shyam Madan Singh, resident of Village- Majhawa, P.O.- Ara, P.S.- Ara Nagar, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Y.V.Giri

For the Informant : Mr. Chandran Kuamr

For the Opposite Party/s : Mr. Sri Yogendra Kumar

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 30-06-2017 The petitioner seeks regular bail in connection with Ara Town P.S. Case No. 601/2016, registered for offences punishable under Sections 302/34 of Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner and other co-accused surrounded the deceased and other co-accused fired on the deceased, whereas, the petitioner, having country made pistol in his hand threatened and stopped the informant and other relatives of the deceased to save the deceased.

It has been submitted by learned counsel for the petitioner that in this case whole family members have been made accused. Further only general and omnibus allegation has been attributed to the petitioner and the allegation of assault is against other co-accused persons of this case. Petitioner has been in judicial



custody since 14.02.2017.

Heard learned A.P.P. as well as learned counsel for the informant. They have opposed the prayer for bail and submitted that there is active participation of the petitioner in the said offence, as such, he does not deserve the privilege of regular bail.

Having heard both sides, considering the facts and circumstances of the case, period of custody and further there is no allegation of assault against the petitioner, as such, let petitioner, above named, be released on bail on furnishing bail bonds of Rs. 25,000 (Rs. Twenty Five) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bhojpur, Ara, in connection with Ara Town P.S. Case No. 601 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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