

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57341 of 2017

Arising Out of PS.Case No. -498 Year- 2014 Thana -ARA NAWADA District- BHOJPUR

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1. Jag Jiwan Kumar @ Jag Jeevan Kumar, S/o- Girish Thakur, resident of
Village- Pakri, Ara, P.S.- Ara Nawada, District- Bhojpur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Kumar

For the Opposite Party/s : Mr. Smt. Anita Kumari

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

2 13-12-2017 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with Ara Nawada P.S. Case No.498 of 2014 registered for the offences punishable under Sections, 147, 148, 149, 341, 342, 323, 325, 307 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

It is alleged by the informant in his fardbeyan that 3-4 unknown persons started brutally assaulting his brother with hockey stick, lathi and danda and on protest they fled away by firing. His brother was taken to hospital where he was declared dead. It has been submitted that the petitioner is not named in the F.I.R. although he has been made accused during investigation. The co-accused Bare Yadav has been allowed bail in Cr.Misc.No.52200 of 2017 by a coordinate Bench of this Court on



09.11.2017. The case of the petitioner stands on similar footing. It is further submitted that the petitioner is in custody since 13.10.2017 having clean antecedent.

The learned A.P.P. for the State opposed the submission.

Considering the facts and circumstances of the case, the prayer of bail is allowed. The petitioner, named above, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of like amount each to the satisfaction of the learned Chief Judicial Magistrate, Ara Nawada (Bhojpur) in connection with Ara Nawada P.S. Case No.498 of 2014, 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) If the petitioner is found involved in future in similar type of allegation, the prosecution will have liberty to move for cancellation of bail.
- (iv) 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.

Harish/-

(Sanjay Kumar, J)

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