

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72906 of 2018

Arising Out of PS. Case No.-12 Year-2000 Thana- GOPALPUR District- Bhagalpur

Pappu Dev S/o Late Durga Nand Dev @ Late Durga Dev R/o Village-Bihra
P.S. Bihra, Distt.-Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shiva Shankar Sharma

For the Opposite Party/s : Mr. Sri Shailendra Kumar -2

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 17-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in S. Tr. No.343A/2007 arising out of Gopalpur P.S. Case No.12 of 2000 registered for the offence punishable under Sections 353, 332, 427, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant is a Police Officer who has stated in his written complaint that while he was on patrolling duty, a Maruti car was signalled to stop but it did not stop and firing was made on the police party and in retaliation, police also fired but after some time the Maruti car stopped and three persons sitting on the said car fled away.

It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement made by one co-accused, Shyam



Kishore Singh and except the said confessional statement, there is no any other incriminating material against the petitioner. It has further been submitted that similarly placed co-accused, Shyam Kishore Singh and Amarjit Ray have already been granted bail by the court below itself. Petitioner has been remanded in this case on 06.08.2014 and since then he is in custody.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned 2nd Additional Sessions Judge, Naughachia in connection with S. Tr. No.343A/2007 arising out of Gopalpur P.S. Case No.12 of 2000, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the



evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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