

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.14769 of 2018

Arising Out of PS.Case No. -29 Year- 2017 Thana -DUMARIA District- GAYA

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Nirbhay Singh S/o Jagmohan Singh, R/o Village- Pipra, P.S.- Dumaria,
District- Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Ram Pravesh Nath Tiwari, Advocate

For the Opposite Party : Mr. Murlidhar, APP

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR

ORAL ORDER

2 05-04-2018

Heard.

The petitioner apprehends arrest in connection with
Dumariya P.S.Case No.29 of 2017 registered for an offence under
Sections 307 and other sections of the IPC.

It is alleged by the informant that Yoga was being
performed when Vikash Singh came there with gun. Thereafter, an
altercation took place between him and one Satyendra Prasad.
Vikash Singh fired upon Satyendra which hit one girl and people
assembled there assaulted Vikash Singh who died there and mob
thereafter went on rampage and destroyed and set on fire houses
and shops.

It has been submitted that there is omnibus allegation
against all the accused. The informant himself has stated that he
shut down himself in a close room as such he is not an eye witness
.Deceased Vikash Singh was his relative as such he has been
named in the case as a counter case of killing of Vikash Singh. It



has further been submitted that similarly situated co-accused has been granted anticipatory bail by one of the coordinate Bench of this Court in Cr.Misc.No.4181 of 2018.

Learned APP opposed the submissions.

Considering the aforesaid facts and circumstances, prayer for anticipatory bail is allowed. Let the above named petitioner in the event of his arrest or surrender before the court below within six weeks from today be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of SDJM, Sherghati at Gaya in connection with Dumariya P.S.Case No.29 of 2017, subject to the conditions as laid down under section 438(2) of the Cr.P.C.

- (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 themselves 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.

(Sanjay Kumar, J)

B.Kr./-

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