

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.29033 of 2018

Arising Out of PS.Case No. -5 Year- 2009 Thana -NARAINPUR District- BHOJPUR

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Nirmal Pal Son of late Hiredeya Nand Bhagat Resident of Village-
Meghariyan, Megharia, P.S. Sahar, District- Bhojpur, Ara.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar

For the Opposite Party/s : Mr. Md. Arif

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CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

3 29-06-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Sessions Trial No.419 of 2017 arising out of Narayanpur P.S.
Case No.05 of 2009 registered for the offences punishable under
Sections 302/34 of the Indian Penal Code and Section 27 of the
Arms Act.

It is alleged that nine named and two unknown accused
persons opened fire on one Jai Prakash Singh due to which he
died at the spot.

It has been submitted that the occurrence took place on
account of refusal to pay ransom by the deceased. The petitioner
has denied any manner of concern with Balughat. As per F.I.R. it
is alleged that altogether eleven persons made indiscriminate
firing on the deceased but the doctor has found only firearm
injury on the temple of deceased. Besides that the police have



seized only two empty cartridges from the place of occurrence. The petitioner is in custody since 07.12.2017 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 learned 6th Additional Sessions Judge, Bhojpur, Ara in connection with Sessions Trial No.419 of 2017 arising out of Narayanpur P.S. Case No.05 of 2009, 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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