

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.58970 of 2018

Arising Out of PS.Case No. -86 Year- 2018 Thana -PATNA CITY CHOWK District- PATNA

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Monu Patel S/o Kalyan Patel, R/o Mohalla- Mangal Talab, new Sadak State
Bank Lane, P.S.- Chowk, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arvind Kumar Mouar

For the Opposite Party/s : Mr. Sri Satya Nand Shukla

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 28-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner seeks bail in connection with Chowk P.S.
Case No. 86 of 2018 for offences punishable under Sections 302,
307, 341, 34 of the Indian Penal Code and 27 of the Arms Act.

The prosecution case, as lodged by the informant, is
that while his son Ayush Sao @ Vicky was going on in a
motorcycle along with his two friends, the petitioner along with
five others by means of knife and pistol attacked them and fired,
as a result while being taken to PMCH, the informant's son
succumbed to the injuries.



It has been submitted by the learned counsel for the petitioner that he is innocent, general and omnibus allegation has been levelled against all the co-accused as well as the petitioner and that charge-sheet has already been submitted. He submits that one of the accused on similar allegation has been granted privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 51494 of 2018 vide order dated 11.09.2018.

However, learned APP for the State opposes the prayer for bail stating therein that the petitioner does not have a clean antecedent and as many as six cases are pending against him.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Patna City in connection with Chowk P.S. Case No. 86 of 2018, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on



two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/Priyanka

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