

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.38900 of 2018

Arising Out of PS. Case No.-321 Year-2017 Thana- JAKKANPUR District- Patna

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Piush Kumar @ Piush Kumar Roy aged about 24 years son of Faudari Rai resident of Village - Makhdumpur, Lakhanibigha, Police Station - Danapur, District - Patna, A/p Sipara near Gandhi Murti, Police Station - Parsa Bazar, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Pranaya Shanker Sinha, Advocate

For the Opposite Party/s : Mr. Parmanand Prasad, APP

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL

ORAL ORDER

2 10-07-2018

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

Petitioner seeks bail in connection with Jakkanpur P.S. Case No. 321 of 2017, G.R. No. 6090 of 2017 registered for the offence punishable under Sections 341, 323, 307/ 34 and 120(B) of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that he works as a Plumber Mistry and in the evening while he along with his two friends was at a tea shop, four named and two unknown accused persons came in two motorcycles and started firing on the informant, which hit him.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in



the aforesaid case. Injury report suggests no fire-arm injury and one of the co-accused named by the informant, on similar allegation, has been granted the privilege of bail by a coordinate Bench of this Court in Cr. Misc. No. 24622 of 2018 vide order dated 23.05.2018. He submits that charge-sheet has already been submitted and that petitioner is languishing in judicial custody since 06.10.2017.

However, learned A.P.P. for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let the petitioner, named above, be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-cum- Sub-Judge 1st , Patna in connection with Jakkanpur P.S. Case No. 321 of 2017, G.R. No. 6090 of 2017, subject to the conditions that:

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.



(2) The 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.)

Arjun/Ragini

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