

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.77057 of 2018

Arising Out of PS. Case No.-17 Year-2018 Thana- MUZAFFARPUR TOWN District-
Muzaffarpur

Pradeep Sah @ Dipak, S/o Ganeshi Sah, R/o Near University Campus of P.G.
Hostel NO.5, P.S. University, District- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar @ S.K.

For the Opposite Party/s : Mr.Sri Nityanand Tiwary

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 21-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Town P.S. Case No. 17 of 2018 registered for
the offence punishable under Sections 302, 34, 120(B) of the
Indian Penal Code and 27 of Arms Act and later on Sections
25(1-b)A/26/35 of the Arms Act.

FIR was registered against unknown accused
persons having entered the shop of the cousin of informant and
having shot the cousin of informant namely Rohit Kumar
resulting in his death.

It has been submitted on behalf of the petitioner that
petitioner is not named in the FIR. His name has surfaced in this
case on the basis of confessional statement of co-accused Ranjit
Paswan, who has already been granted bail by this Hon'ble
court vide order dated 23.07.2018 passed in Cr. Misc. No.



39131 of 2018 and other co-accused persons, Vicky Kumar @ Gaurav Kumar and Baidhnath Paswan have also been granted bail by this Hon'ble Court vide order dated 23.07.2018 passed in Cr. Misc. No. 33737 of 2018 and vide order dated 14.08.2018 passed in Cr. Misc. No. 45370 of 2018 respectively.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Muzaffarpur, in connection with Town P.S. Case No. 17 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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)

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