IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.59092 of 2018

Arising Out of PS.Case No. -205 Year- 2017 Thana -SHRIKRISHNAPURI District- PATNA

==========

1. TANIK @ TANIK KUMAR @ RADHE SHYAM KUMAR @ RADHESHYAM S/o Ashok Ram, Resident of Village- Barbigha Jaffarpur, P.S.- Barbigha, District- Sheikhpura. At present R/o West New Chak, P.S.- Ram Krishna Nagar, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Birendra Kumar
For the Opposite Party/s : Mr. Md. Ashlam Ansari

==========

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 06-11-2018 Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in S.T. No. 718/2017, arising out of S.K. Puri P.S. Case No. 205/2017, instituted for the offences under Sections 307, 414 and 34 of the Indian Penal Code read with Sections 25(1-b)a, 26 and 27 of Arms Act.

Earlier prayer for bail of the petitioner was rejected by a Co-ordinate Bench of this Court in Cr. Misc. No. 9206/2018 dated 20.02.2018.

It is alleged in the written report that on 07.08.2017 the petitioner was intercepted by the police while he along with other accused persons were going on motorcycle. It is alleged that accused persons made firing at police party, but they anyhow escaped the

WEB COPY

bullets. One of the accused person was caught, who disclosed his name as petitioner. On search, one country made pistol was recovered from his possession.

Report of the court below with regard to present stage of case has been received in this case, from which it appears that charge has been framed on 20.02.2018. Uptill now not a single witness has been examined.

Petitioner is in custody since 07.08.2017.

Considering the period of custody of the petitioner and trial is not likely to be concluded within short time, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Sessions Judge XIth, Patna in connection with S.T. No. 718/2017, arising out of S.K. Puri P.S. Case No. 205/2017, subject to the conditions that

(i) both the bailors shall be the close relative of the petitioner.

(ii) petitioner shall be present on each and every date fixed by the court and absence on two consecutive dates without valid reason will result in cancellation of bail bond of the petitioner and

(iii) if petitioner tamper with the evidence in the

WEB COPY

case, prosecution will be at liberty to move for cancellation of bail bond of the petitioner.

(Sanjay Priya, J.)

Rakhi

U		T	

WEB COPY