

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.68046 of 2018

Arising Out of PS. Case No.-84 Year-2018 Thana- CHAINPUR District- Bhabhua (Kaimur)

Pappu Kushwaha, Son of Shri Raj Kushwaha @ Shiv Raj Singh, Resident of Village- Majhui, P.S.- Chainpur, District- Kaimur (Bhabua).

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kumar Sunil

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

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA

ORAL ORDER

2 29-11-2018 Heard the parties.

The petitioner seeks regular bail in connection with Chainpur P.S.Case No.84/18 registered for offences punishable under Sections 324, 307 and 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner as per FIR is that the peittioner and other accused persons intercepted the informant and on the order of one Upendra Kushwaha , the petitioner fired causing injury on the shoulder of the informant.

Submission of the learned counsel for the petitioner is that earlier brother of the informant was murdered and in that case the informant was an accused and as such he has been falsely implicated in this case and more over the parties have compromised the case, which will appear from Annexure 4 and injury is also on the shoulder, which is not a vital part of the



body and furthermore he is in custody for more than two months.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned ACJM-II, Kaimur (Bhabua) in connection with Chainpur P.S.case no.84 of 2018..

With 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) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure 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 bond.

With the aforesaid observation, this application is allowed.

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(Vinod Kumar Sinha, J)

