

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.48114 of 2018

Arising Out of PS. Case No.-64 Year-2018 Thana- KESARIA District- East Champaran

Dharemendra Singh s/o Ram Prash Singh R/o Vill Chapra P.S. Kalyanpur,
Dist East Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhannjay Kumar No 2

For the Opposite Party/s : Mr. Sri Anand Mohan Prasad Mehta

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 17-09-2018 Heard learned counsel for the petitioner and

learned counsel for the State.

The petitioner apprehends his arrest in connection
with **Kesariya P.S. Case No. 64 of 2018** registered for the
offence punishable under Sections 341, 323, 324, 307/34 of
the Indian Penal Code and Section 27 of the Arms Act

Informant in his written complaint has stated that
when he and his maternal brother were returning to home
on motorcycle then four unknown miscreants indicated to
stop the motorcycle and when he did not stop the
motorcycle, then one co-accused Rupesh Dubey opened fire
on him, which hit below the back of right knee.

It has been submitted on behalf of the petitioner



that he is innocent and has been falsely implicated in this case. It has been further submitted that the name of the petitioner has transpired in this case as the petitioner is the friend of FIR named co-accused Raj Kishore Singh. There is no allegation of any overt act against the petitioner in the FIR. Petitioner has got no criminal antecedent.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Motihari, East Champaran**, in connection with **Kesariya P.S. Case No. 64 of 2018** subject to the condition as laid down under Section 438(2) of the Cr.P.C with following conditions:-

(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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient 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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