

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 4516 of 2018

Arising Out of PS.Case No. -68 Year- 2017 Thana -CHARIABARIYARPUR District-
BEGUSARAI

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Naveen Singh, son of Late Kedar Singh, resident of Village- Cheria
Bariarpur, P.S. Cheria Bariarpur, District Begusarai.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Devendra Prasad Singh

For the Opposite Party/s : Mr. Sri Rajendra Nath Jha

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

7 21-05-2018

Heard learned Senior Counsel for the petitioner and

the learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 302/34 of Indian Penal Code and Section 27 of Arms
Act.

It is submitted by the learned Senior Counsel
appearing on behalf of the petitioner that the instant petitioner was
injured in Cheria Bariarpur Police Station Case No 29 of 2017 and
the injury was due to assault by the deceased. In the instant case,
he submits that he was physically not in a position to move as is
evident from the various medical prescriptions annexed as
Annexures 5 and 6 to the instant petition. Further, co-accused



Chhotu Kumar and Santosh Kumar, Amit Kumar, Abhinit Kumar and Sonu Kumar have already been granted bail by this Court in *Cr Misc No 40620 of 2017*, *Cr Misc No 46511 of 2017* and *Cr Misc No 47562 of 2017*. It is also submitted that though the first information report attributes firearm assault on the head of the deceased but the same is not corroborated by the post mortem report as is apparent from the case diary. Petitioner is in custody since 06.05.2017. The other case, which is pending against the petitioner, details of which has been given in paragraph 3 of the petition, in that case, the petitioner is on bail.

Considering the aforesaid submissions, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Manjhaul, Begusarai in Cheria Bariarpur Police Station Case No 68 of 2017 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.



(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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