

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.6769 of 2018

Arising Out of PS.Case No. -115 Year- 2012 Thana -BUNIADGANJ District- GAYA

=====

Binod Singh @ Sadhuji son of Late Daroga Singh, Resident of Village-Delha, P.S. Buniyadganj, District-Gaya.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, AAP

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 27-03-2018 Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest Buniyadganj P.S. Case No. 115 of 2012 instituted for the offence under Sections 341, 324, 307/34 I.P.C. read with Section 27 Arms Act.

It is alleged by the informant that on 01.06.2017, at about 9.30 A.M. while he was going to his house by motorcycle, two motorcyclists took over his motorcycle at Jagdamba Bhatha. The accused persons started firing upon him from the pistols which hit on right side of his mouth and right arm, as a result of which, he fell down and the accused persons fled away. On hearing the sound of firing, nearby people assembled there and took him to Magadh Medical College for treatment.

Learned counsel for the petitioner submits that the



petitioner has not been named in the FIR. It is alleged that the accused Dharmendra Kumar Singh, Ravindra Kumar Singh and Sajjan Kumar Singh fired from the pistols, which hit right side of mouth and right arm of the informant as a result of which the informant fell down. He has further submitted that police has recorded confessional statement of Jitendar Kumar & Shatrudhan Bharti in para 44 & 45 of case diary, wherein they have confessed their guilt. The name of the petitioner has come for the first time in paragraph 77 of the supplementary case diary.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with Buniyadganj P.S. Case No. 115 of 2012, he shall be released on anticipatory bail on 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. Gaya, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date fixed by the court and their absence on two consecutive dates without proper and reasonable reason



will be liable to cancel his bail bond and (3) if 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.

(Sanjay Priya, J)

shakir/-

U		T	
---	--	---	--

