

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35018 of 2018

Arising Out of PS.Case No. -39 Year- 2013 Thana -PIRBAHOR District- PATNA

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1. Santosh Kumar, Son of Late Bharat Choudhary, Resident of Naya Gaun,
Police Station- Pirmahore, District- Patna.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.

For the Opposite Party/s : Mr.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

4 09-07-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Pirmahore P.S.Case no.39 fo 2013 , registered for offences punishable under Sections 302, 34, of the Indian Penal Code and Section 27 of the Arms Act.

The petitioner is not named in the FIR. As per FIR some other accused persons have fired on the deceased causing injury.

Submission of the learned counsel for the petitioner is that later on his name transpired during the course of investigation of the case and his name has transpired in the year, 2013. The matter was under enquiry and for the first time in the year, 2017 the warrant has been issued against them and the brother of the petitioner has been granted bail by the learned court below itself.



There is no allegation of firing against the petitioner.

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, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released 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 C.J.M., Patna in connection with Pirbahore P.S.Case No.39 of 2013, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

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 investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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