

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.69316 of 2018

Arising Out of PS. Case No.-148 Year-2018 Thana- BARUN District- Aurangabad

Sunil Singh @ Sunil Kumar, S/o Ramadhar Singh, Resident of -Chakkan,
Bigha, Police Station-Barun, District-Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nivedita Nirvikar

For the Opposite Party/s : Mr. Ram Priya Sharan Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 19-12-2018 Heard the learned counsel for the petitioner and

the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Barun P. S. Case No. 148 of 2018
dated 24.07.2018 instituted for the offences under Sections
147, 148, 149, 341, 353, 307 and 504 of the Indian Penal
Code and Section 27 of the Arms Act.

The F.I.R. has been lodged by a government
functionary alleging that while the trucks loaded with sand
extracted illegally was being checked, some of the persons
protested. Five persons sitting on two motor-cycles raised
protest in a serious manner. Thereafter, it is alleged that



while fleeing away, one of those persons fired, aiming at the informant but nobody was hurt in the occurrence.

The name of the accused persons including the petitioner was disclosed by the local Chaukidar.

Ms. Nivedita Nirvikar, learned counsel for the petitioner has submitted in the first instance that the name of the petitioner has been provided by a Chaukidar without there being any reason for the same. The petitioner has got no concern at all with the sand which is said to have been unauthorizedly extracted. Secondly, it has been submitted that the firing allegedly was resorted to by the petitioner from a close range. It was not possible in that case for nobody being hurt in the occurrence.

Lastly, it has been submitted that only because earlier the petitioner had been made an accused in a case vide Barun P. S. Case No. 97 of 2018, his name has been given in the subject F.I.R. also.

Considering the nature of accusation against the petitioner as also taking into account that the petitioner has been made accused only in one more case in which he is on



bail, the petitioner, above-named, is directed to be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt / production of a copy of this order, on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in connection with Barun P. S. Case No. 148 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C.

(Ashutosh Kumar, J)

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