

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.75542 of 2018

Arising Out of PS. Case No.-499 Year-2018 Thana- BAKHTIYARPUR District- Patna

Pawan Kumar, Son of Upendra Mahto, resident of Village- Nayatola
Raghopur @ Nayatola Madhopur, P.S.- Bakhatiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Usha Kumari Singh

For the Opposite Party/s : Mr. Smt. Asha Devi

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Bakhatiyarpur P.S. Case No. 499 of 2018** registered for the offence punishable under Sections 147, 148, 149, 341, 323, 307, 427, 353 and 283 of the Indian Penal Code and under Section 27 of the Arms Act.

Allegation against the petitioner is of blocking N.H. 31 near Raghopur Mawesi Hat along with FIR named accused variously armed with Lathi, Danda and also brick batting.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. There is no specific allegation against the petitioner. Nothing has been recovered from the possession of the petitioner. Petitioner is suffering from AIDS and is undergoing treatment in Varanasi and goes for check-up every month. He has no criminal antecedent and is in custody since 03.10.2018.

Considering the aforesaid facts and circumstances of



the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned **A.C.J.M., Barh, Patna**, in connection with **Bakhatiyarpur P.S. Case No. 499 of 2018** 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 properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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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