

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10143 of 2018

Arising Out of PS.Case No. -260 Year- 2017 Thana -BARH District- PATNA

=====

Rajesh Kumar Son of Kailash Singh Resident of Village- Nauranga
Jalalpur, P.S. Panchmahli, District- Patna.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Thakur
Mr. Nilesh Kumar

For the Opposite Party/s : Mr. Sri Pranav Kumar, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 28-03-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

Petitioner apprehends his arrest in Barh P.S. Case No.260
of 2017 for the offence under Sections 302, 120 (B)/34 of I.P.C.

It is alleged in the written report that the informant was
brought with the deceased (Guddu Singh) along with other
prisoners on 8.9.2017 from Barh Jail for production in the court
and after production they were returning to the Barh Jail, in the
meantime 4 – 5 miscreants fired upon them indiscriminately as a
result of which the informant and Guddu Singh received firearm
injury. Guddu Singh after receiving firearm injury disclosed that
Sonu and Monu have made firing. The mother of the deceased
along with others filed an application to the police naming this



petitioner also along with Sonu and Monu. The petitioner has been implicated in this case on the basis of filing such application by mother of deceased before police.

In this manner the petitioner is not named in the written report. From the written report it appears that the deceased after sustaining injury had named two persons Sonu and Monu.

Learned A.P.P. has opposed the prayer for anticipatory bail of the petitioners.

In the facts and circumstances of the case, prayer of the petitioner for grant of anticipatory bail is allowed. Let the petitioner, above named, in the event of his arrest or surrender before the court below within six weeks from today, be released on bail on furnishing bail bond of Rs.10,000/- with two sureties of the like amount each to the satisfaction of the Additional Chief Judicial Magistrate, Barh, in Barh P.S.Case No.260 of 2017 subject to the conditions as laid down under Section 438(2) of 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 co-operate in the trial and shall be present on each and every date fixed by the court and absence on two consecutive dates without proper and reasonable reason will automatically cancel bail bonds of the petitioner and (3) if



petitioner tamper 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)

AnilKrSinha/-

U			
---	--	--	--

