

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.60814 of 2018

Arising Out of PS. Case No.-32 Year-2018 Thana- KHUTAUNA District- Madhubani

SURENDAR PANDIT Son of Late Ram Pandit, resident of Village- Kariban,
P.S.- Laukahi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gagan Deo Yadav
For the Opposite Party/s : Mr. Sri Anish Chandra

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-10-2018

Heard learned counsel for the parties.

Petitioner seeks bail in **Khutauna P.S. Case No. 32 of 2018** registered for the offence punishable under Sections 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant in his fardbeyan has stated that on 26.03.2018 his cousin brother and staff were going for business purpose and when they reached near Patrahi/Pasrahi, three unknown miscreants started indiscriminate firing which hit his cousin brother and staff and they were admitted into the Hospital. FIR is against unknown.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Nothing has been recovered from the possession of the



petitioner. It has been further submitted that TIP of the petitioner has also not been conducted. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 07.08.2018 in Criminal Miscellaneous No. 48669 of 2018, 14.09.2018 in Criminal Miscellaneous No. 50287 of 2018 and 13.09.2018 in Criminal Miscellaneous No. 50131 of 2018. Petitioner has got no criminal antecedent and is in custody since 05.04.2018.

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 **Additional Chief Judicial Magistrate-Jhanjharpur, Madhubani**, in connection with **Khutauna P.S. Case No. 32 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 present on each and every date fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be sufficient to cancel his bail bond.



(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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