

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3631 of 2019

Arising Out of PS. Case No.-434 Year-2018 Thana- BUXAR District- Buxar
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Niranjan Kumar @ Niranjan Yadav aged about 19 years (Male) son of Baban Singh, resident of Village- Sugahar Sasen, P.S. Rajpur, District- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Pawan Kumar Singh, Advocate.

For the Opposite Party: Mr. J.K. Singh, APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

2 25-01-2019

Heard learned counsel for the petitioner and learned

APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 307, 326 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Buxar Nagar P.S. Case No. 434 of 2018.

3. It is submitted that the petitioner has been falsely implicated and in any event the thrust of accusation of firing upon the informant is upon co-accused Diwakar Yadav. There is no accusation of assault whatsoever upon the petitioner who claims clean antecedents.

4. Be that as it may, having regard to the entirety of the facts and circumstances of the case, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above



named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar Nagar (T) P.S. Case No. 434 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C., and also subject to the following further conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(iv) The petitioner shall remain physically present in Court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(Vikash Jain, J)

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