

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5451 of 2019

Arising Out of PS. Case No.-81 Year-2018 Thana- BIBHUTIPUR District- Samastipur

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ABHISHEK KUMAR @ ABHISHEK KUMAR RAY @ JHUNA RAY @ JHUNNA, aged about 21 Son of Rajiv Ray Resident of Village - Pachiyari Tola Tabhka, P.S. Vibhutipur, District- Samastipur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Jaiswal

For the Opposite Party/s : Mr.Ganesh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 07-03-2019 Heard learned counsel for petitioner and learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Vibhutipur P.S. Case No. 81 of 2018 registered for the offences punishable under Sections 307 of the Indian Penal Code and Section 27 of Arms Act.

Informant has alleged that on 08.04.2018 at about 13:10 A.M. while he was going to take milk by motorcycle in the way all FIR named accused including petitioner stopped him and fired with intention to kill.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been



falsely implicated in this case. Similarly placed co-accused has been granted bail by co-ordinate bench of this court vide order dated 14.02.2019 passed in Cr. Misc. No. 8710 of 2019

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with S.T. No. 389 of 2018 arising out of Vibhutipur P.S. Case No. 81 of 2018, subject to 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 Court and his absence on two consecutive dates without sufficient reasons, 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)

Rajiv/-

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