

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.9964 of 2019

Arising Out of PS. Case No.-88 Year-2018 Thana- BHAWANIPUR District- Purnia

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SAGAR KUMAR, aged about- 25 (M) S/o Bindeshwari Sharma. R/o village-
Baisa Tola, Alamnagar, P.S-Alam Nagar, Distt.-Madhepura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 19-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Bhawanipur (Baliya) P.S. Case
No. **88 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 has alleged that while he was in a tempo
along with his uncle and two other persons, two motorcycle
borne criminals tried to stop their way and person sitting at the
back side fired on his uncle who was driving the tempo which
hit his right hand thereafter the accused person fled away.

It has been submitted on behalf of the petitioner that he



is innocent and has been falsely implicated in this case. Petitioner is not named in the FIR and his name has surfaced in this case on the basis of his self-confessional statement. Similarly, situated co-accused person has been granted bail vide order dated 18.01.2019 passed in Cr. Misc. No. 2401 of 2019. Petitioner is in custody since 16.08.2018.

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 C.J.M., Purnea in connection with Bhawanipur (Baliya) P.S. Case No. **88 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)

Sanjay/-

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