

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11263 of 2019

Arising Out of PS. Case No.-171 Year-2018 Thana- PIPRA District- East Champaran

NITISH RAY, aged about 30 years, (M), son of Sri Krishyanandan Rai @ Krishn Nandan Rai, resident of village-Kauraiya More, P.S.-Madhuban, District-East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar @ Sonu, Adv
For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 11-03-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail registered for the offences punishable under Sections 384, 385, 386, 387, 120-B of the Indian Penal Code and Sections 27 of the Arms Act.

Informant has alleged that on 06.07.2018 at about 11:15 P.M. three persons came on motorcycle at M/s. Laxman Construction and started looking for owner and clerk, and threatened not to work in Champaran and opened fire to create terror and panic.

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. Petitioner is not named in the



FIR and nothing incriminating has been recovered from his possession. The name of petitioner has surfaced in this case on the confessional statement of co-accused Tarun Kumar. Except confessional statement of co-accused there is no any evidence to show his complicity in this occurrence. Petitioner is in custody since 29.09.2018.

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/- (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 Pipra P.S. Case No. 171 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)

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