

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12547 of 2019

Arising Out of PS. Case No.-473 Year-2017 Thana- ARA NAWADA District- Bhojpur

NAJIM @ NAJIM KHAN Son of Hasnain Khan Resident of Mohalla- Bebe
Jhan Ka Hata, Police Station- Ara Nawada, District- Bhojpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ranvijay Narain Singh

For the Opposite Party/s : Mr.Bal Mukund Prasad Sinha

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 05-03-2019 Learned counsel for the petitioner is permitted to
make necessary correction.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
15.11.2017 in a case registered for the offence punishable
under Sections 324, 326, 307,34 of the Indian Penal Code and
Section 27 of the Arms Act.

The prosecution case got initiated on the Fardbeyan
of Veenit Kumar, recorded by S.I. Sanjay Kumar, Ara Nawada
Police Station on 28.10.2017 at 2.45 P.M., to the effect that on
27.10.2017, the informant was talking along with his friends
Amit Kumar and Ravi Kumar at Pakari Chauk, in the
meantime, three motorcycle born accused persons, namely



Rahul Kumar Praduman Kumar and the petitioner Nazim came and thereafter co-accused Praduman and the petitioner Nazim resorted to fire, causing injury to the informant and his friends.

It is submitted by learned counsel for the petitioner that the injury of all the injured persons have been found simple in nature, a statement to that effect has been made in paragraph no.9 of the petition. It is further submitted that co-accused Rahul Kumar has been granted bail by a Co-ordinate Bench of this Court vide order dated 16.01.2019, passed in Criminal Miscellaneous No. 2127 of 2019 and the investigation has already been concluded. Though, the petitioner is accused in three other cases apart from the present case, but in all those cases, he is on bail.

Learned APP for the State submits that there is specific accusation against the petitioner in the FIR.

Considering the fact that the investigation has already been concluded, the injury being found simple in nature and similarly situated co-accused has been granted bail by a co-ordinate Bench of this Court, let the above named petitioner be released on bail, on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions



Judge-II, Bhojpur at Ara, in connection with Sessions Trial No.168 of 2018, arising out of Ara Nawada P.S. Case No. 473 of 2017.

Since the petitioner is having serious criminal antecedent, learned court below will be at liberty to cancel the bail bonds of the petitioner, if he defaults for three consecutive occasions or gets involved in some serious nature of offence.

(Dinesh Kumar Singh, J)

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