

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11320 of 2019

Arising Out of PS. Case No.-342 Year-2018 Thana- TAJPUR District- Samastipur

Subhash Kumar Rai Son of Ramdayal Rai R/o village-Bishanupur Bathua,
P.S- Pusa, District- Samastipur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Advocate Mr. Udbhay, Advocate Mr. Nilesh Kumar, Advocate
For the Opposite Party/s :		Mr.Abhay Kumar, APP
For the Informant	:	Mr. Gajendra Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 06-05-2019 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 302/34/120B of the Indian Penal Code and Section 27 of the Arms Act.

Three unknown criminals on a motorcycle came and fired at the husband of the informant as a result whereof he died while he was at his shop.

Submission is that there is no eyewitness of the occurrence to have identified any of the assailants; rather suspicion is there against the petitioner and his associates for old dispute. The petitioner is in custody since 27.09.2018.



Investigation of the case is already complete now.

Learned counsel for the informant submits that the petitioner has suppressed his two criminal cases bearing Pusa P.S. Case No.23 of 2018 and Pusa P.S. Case No.154 of 2012, wherein the police has submitted charge sheet against the petitioner.

Considering the fact that there is no substantial material against the petitioner in the present case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Tajpur P.S. Case No.342 of 2018, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below having immovable property in his name.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

However, if the Court-below is made aware that the petitioner had knowledge of the two cases, by appearance in those cases, the Court-below shall be at



**liberty to not to accept the bail bond or cancel the bail of the
petitioner as the case may be.**

(Birendra Kumar, J)

Mkr./-

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