

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18574 of 2019

Arising Out of PS. Case No.-63 Year-2008 Thana- ARWAL District- Jehanabad

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BRAJESH KUMAR, Son of Ramkali Singh @ Ramkrit Singh, Resident of
Village - Jethiyara, P.S.- Parasbigha, District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate Mr. Ranvijay Kumar Sharma, Advocate Ms. Preety Kunwar, Advocate
For the Informant	:	Mr. Binod Kumar Singh, Advocate Mr. Shyam Kumar, Advocate
For the Opposite Party/s	:	Mr. Tarun Prasad Mandal, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 01-05-2019 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner seeks bail in a case registered for the offences
punishable under Sections 302, 120/34 of the Indian Penal Code and
Section 27 of the Arms Act.

The petitioner was granted anticipatory bail in this case
vide Annexure-2. One of the conditions of grant of bail was that if
the petitioner would be found involved in same and similar nature of
cases in future, then in that case the informant/prosecution shall be at
liberty to file a petition for cancellation of the bail of the petitioner,
and if such a petition is filed, the court below would be obliged to
dispose of the same in accordance with law after giving opportunity
of hearing to all the concerned.

Thereafter, Parasbigha P.S. Case No. 86 of 2018 was



registered for offences under Section 302 of the Indian Penal Code and Section 27 of the Arms Act against unknown. A copy of the FIR is at Annexure-5. During investigation, name of the petitioner surfaced as suspect of the crime and on that basis, the court below came to the conclusion in the present case that the petitioner had violated one of the conditions of anticipatory bail and accordingly, anticipatory bail was cancelled and the petitioner is in custody.

Learned counsel for the informant opposed the prayer for bail on the ground that the trial is at the advance stage and petitioner is threatening the prosecution witness.

Considering the entire facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty 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.Tr. No. 42 of 2011 arising out of Arwal Police Station Case No. 63 of 2008, subject to the condition that 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.

(Birendra Kumar, J)

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