

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22191 of 2019

Arising Out of PS. Case No.-15 Year-2019 Thana- SILAO District- Nalanda

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Kunal Singh @ Nitish Kumar, aged about 19 years, Male, Son of Upendra Singh, Residence of Village-Gandhupur, P.S-Silav, District-Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr. Chandrashekhar, Advocate
For the Opposite Party : APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 18-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 147, 148, 149, 341, 307 and 120(B), 337, 504 and 506 of the Indian Penal Code and Sections 25(1-b)a, 26 and 35 of the Arms Act registered in connection with Silav P.S. Case No. 15 of 2019.

3. It is submitted that the petitioner has been falsely implicated and the accusation of firing is general and omnibus in nature. There is specific accusation of firing by co-accused Mantu Singh @ Pankaj Singh, who fired on the informant's wife causing firearm injury in her back. The accusation of stone pelting is also not supported as no evidence in this regard has been found at the place of occurrence. The petitioner claims clean antecedents.

4. Learned APP assisted by learned counsel for the informant appearing suo motu opposes the bail petition.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be



released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Bihar Shariff in connection with Silav P.S. Case No. 15 of 2019, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C. and with further conditions --

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That the petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

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