

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79437 of 2018

Arising Out of PS. Case No.-31 Year-2018 Thana- EAST COLONY District- Munger

Arvind Das S/o Nand Kumar Das resident of Gandhi Tola Rampur, Jamalpur
P.O. P.S.-Jamalpur, District-Munger.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Sevak Choudhary

For the Opposite Party/s : Mr.Sri Amit Kumar Rakesh

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 31-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **East Colony P.S. Case No. 31 of 2018** registered for the offence punishable under Sections 307/34 of the Indian Penal Code and under Section 27 of the Arms Act.

Informant has alleged that when he was going to office on bicycle two motorcycle borne miscreants overtook him and the miscreant who was sitting back on the motorcycle fired upon him as a result which he sustained injuries on his left arm and chest and thereafter they fled away.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on suspicion. He is not named in FIR. Name of the petitioner has



surfaced in this case on the basis of confessional statement of co-accused Sunil Kumar Mandal and Ravi Kumar and except confession there is no incriminating material against petitioner. It has been further submitted that co-accused Ravi Kumar on whose confession petitioner was apprehended has been granted bail by the court below itself vide order dated 11.06.2018 passed in B.A. No. 369 of 2018. He is in custody since 15.01.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **A.C.J.M., 1st, Munger**, in connection with **East Colony P.S. Case No. 31 of 2018**, with following 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 the Court and his/her absence on two consecutive dates without sufficient reason, his/her 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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