

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.79011 of 2018

Arising Out of PS. Case No.-147 Year-2018 Thana- SAHIYARA District- Sitamarhi

Vimlesh Kumar S/o Gangadhar Rai R/vill-Dhumha, P.S-Sahiyara, Distt.-
Sitamarhi.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhubala Verma

For the Opposite Party/s : Mr.Sri Ajay Kumar-I

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 23-01-2019 Learned counsel for the petitioner is permitted to
correct the address of petitioner given at the top of petition.

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

Petitioner, who is in custody, seeks bail in
connection with Sahiyara P.S. Case No. 147 of 2018 registered
for the offence punishable under Sections 147, 148, 149, 302,
120(B) of the Indian Penal Code and 27 of Arms Act.

Allegation against petitioner that he alongwith seven
FIR named accused indiscriminately fired at the son of
informant, who was sitting on a chair outside his house, as a
result of which her son fell on the ground and thereafter accused
persons fled away on the motorcycle.

It has been submitted on behalf of the petitioner that
petitioner is not named in the FIR and he has been falsely
implicated in this case on suspicion. Name of petitioner has
surfaced in this case only on his own confession, except his own



confession there is nothing against him. It has been further submitted that one co-accused, Pappu Thakur named in the FIR has been granted bail vide order dated 21.01.2019 passed in Cr. Misc. No. 1974 of 2019. Petitioner has no criminal antecedent and he is in custody since 09.09.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Sitamarhi, in connection with Sahiyara P.S. Case No. 147 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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.

veena/-

(S. Kumar, J)

U		T	
---	--	---	--

