

Arising Out of PS. Case No.-499 Year-2018 Thana- BAKHTIYARPUR District- Patna

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Pawan Kumar, Son of Girdhari Singh, Resident of village- Raghopur, Police Station- Bakhtiyarpur, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Chandra Bhushan Singh

For the Respondent/s : Mr. Sri Ramchandra Sahani

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 15-01-2019 Heard learned counsel for the petitioner and
learned counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Bakhtiyarpur P.S. Case No. 499 of 2018 registered for the offence punishable under Sections 147, 148, 341, 323, 307, 427, 353, 283 of the Indian Penal Code and 27 of Arms Act.

Allegation against petitioner and other co-accused is of blocking N.H. 31 near Raghapur Mawesi Hatt and were variously armed with lathi, danda and engaged in brick batting.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. Petitioner is the driver of truck and was also in that crowd. There is no specific allegation against petitioner. Nothing has



been recovered from his possession. It has been further submitted that similarly co-accused, namely, Pawan Kumar, Sushil Kumar and Ashish Kumar have been granted bail by this Hon'ble Court vide order dated 17.12.2018 passed in Cr. Misc. No. 75542 of 2018, vide order dated 21.12.2018 passed in Cr. Misc. No. 77053 of 2018 and vide order dated 04.01.2019 passed in Cr. Misc. No. 77914 of 2018 respectively. Petitioner has no criminal antecedent and he is in custody since 04.10.2018.

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 Additional Chief Judicial Magistrate 1st, Barh, Patna, in connection with Bakhtiyarpur P.S. Case No. 499 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.

(S. Kumar, J)

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