

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31473 of 2019

Arising Out of PS. Case No.-193 Year-2018 Thana- AMNAUR District- Saran

Raja Patel @ Raja Babu, aged about 21 years, Gender-Male, Son of Late Shankar Prasad, Resident of Mohalla- Ratanpura, Near Dharm Nath Mandir, P.S.- Bhagwan Bazar, District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nawnit Kumar Tiwary, Adv.
For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 05-07-2019 Heard learned counsel for the petitioner and learned APP for the State.

The petitioner seeks bail in a case registered for the offence punishable under Sections 302/120 (B) of the Indian Penal Code and 27 of the Arms Act.

The prosecution case is that accused Subodh Singh and Bhim Singh came on a motorcycle and shot Pappu Kumar, son of the informant and he succumbed injuries, for which he died. Petitioner is not named in the FIR but later on, his name was transpired on the confessional statement of the co-accused.

Submission of the learned counsel for the petitioner is that he has made the accused on the basis of confessional statement of co-accused Vishal Kumar @ Golu has been granted bail by a Co-ordinate Bench of this Court vide order dated 13.05.2019 passed in Cr. Misc. No. 13723 of 2019. Further submission is that petitioner is in custody since 03.01.2019 and the petitioner having no criminal



antecedent and charge sheet has already been submitted against the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each in connection with Amnour P.S. Case No. 193 of 2018 to the satisfaction of the learned Additional Chief Judicial Magistrate-2 Saran at Chapra, subject to the 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 Court and his absence on two consecutive dates without sufficient reasons, his 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.

(Anjani Kumar Sharan, J)

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