

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38548 of 2019

Arising Out of PS. Case No.-227 Year-2015 Thana- GRIYAK District- Nalanda

Naresh Singh (male), aged about 75 years, Son of Late Palmu Singh @ Pamloo Singh, Resident of Village-Katuna, P.S.-Giriyak (Katri Sarai), District-Nalanda.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr. Nawal Kishore Singh,
Mr. Sanjeeb Kumar Sanju, Advocates
For the Opposite Party : APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 28-06-2019 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, 379, 307, 302, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Giriyak (Katrisarai) P.S. Case No. 227 of 2015.

3. It is submitted that the petitioner has been falsely implicated and in any event, after due investigation the police has submitted final form on 25.08.2016 exonerating the petitioner but differing with the same, cognizance has been taken. Thereafter further proceeding in the case remained stayed by order dated 19.05.2017 passed in Cr. Misc. No. 3873 of 2017 (Annexure-5) until 02.05.2019 when the same is finally dismissed as withdrawn. The accusations of assault are general and omnibus in nature. The thrust of accusation of assault by firing is on other accused persons and no accusation of assault has been made against the petitioner. The petitioner is a man of advance age of 75 years.

4. 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 Additional Chief Judicial Magistrate-VI, Nalandat at Biharsharif in connection with Giriyak (Katrisarai) P.S. Case No. 227 of 2015, 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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