

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75563 of 2018

Arising Out of PS. Case No.-504 Year-2018 Thana- ARA NAWADA District- Bhojpur

Abinash Pandey @ Abhinash Pandey S/o Bharat Pandey R/o Village
Paharpur,P.S. Behiya,Distt.-Bhojpur

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Jee Mishra

For the Opposite Party/s : Mr.Dr. Ajeet Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 16-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Ara Nawada P.S. Case No. 504 of 2018** registered for the offence punishable under Sections 302/307/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant in his written report has alleged that on 24.07.2018 at about 8 pm her husband Trivuan gupta and his younger brother Ravi Ranjan Gupata after closing the shop were returning to home on bike where in their way they were intercepted by four miscreants on two APACHE motorcycle and fired upon them as a result of which Ravi Ranjan Gupta died on the spot and her husband was seriously injured and was taken to Hospital by the police.

It has been submitted on behalf of the petitioner that he



is innocent and has been falsely implicated in this case on the basis of confessional statement made by co-accused Ajay Kumar and in said confessional statement also the allegation against petitioner is of tracking the movement of deceased and except said confessional statement there is no incriminating material against the petitioner. Petitioner has got one criminal antecedent which was on account of some family dispute. Petitioner is in custody since 02.09.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Bhojpur**, in connection with **Ara Nawada P.S. Case No. 504 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 absence on two consecutive dates without sufficient reason, 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.

(S. Kumar, J)

ranjan/-

U			
---	--	--	--

