

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72895 of 2018

Arising Out of PS. Case No.-117 Year-2017 Thana- NOWKOTHI GARHPURA District-
Begusarai

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Bambam Singh, Son of Duna Singh, Resident of Village- Pahsara, P.S.
Nawkothi, District- Begusarai

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Krishna Prasad Singh, Senior Advocate Mr. Ashok Kumar, Advocate
For the informant	:	Mr. Pushpendra Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 27-02-2019 Heard learned counsel for the petitioner and the

learned counsel appearing on behalf of the State.

The petitioner is in custody since 26.02.2018 in connection with S.T. No.361 of 2018 arising out of Navkothi P.S. Case No.117 of 2017 registered for the offence under Sections 141, 148, 149, 341, 342, 302 and 120B of the Indian Penal Code, Section 27 of the Arms Act and Sections 3 and 4 of the Explosive Substance Act.

Diary in the present case was called for, which has since been received.

The petitioner had come earlier to this Court, but vide order dated 18.07.2018, the prayer for bail was rejected.

Learned counsel for the petitioner submits that the



present prayer for renewal of the bail is being made in view of the changed circumstance that co-accused, Aklu Singh has since been extended the privilege of bail in Cr.Misc. No.8647 of 2019, vide order dated 13.02.2019. He thus submits that the petitioner may also be extended the same privilege.

Having heard learned counsel for the petitioner and learned counsel for the State, who has also perused the case diary, it appears that the firing is said to have been made by the said Aklu Singh, co-accused, who has since been extended the privilege of bail. So far as the petitioner is concerned, he is also said to have fired but after the firing of Aklu Singh. The post-mortem report also indicates only one bullet injury.

In view of the aforementioned facts and circumstances, let the petitioner, above named, be released on bail on his furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Raghubir Prasad, Judicial Magistrate, 1st Class, Begusarai, in connection with S.T. No.361 of 2018 arising out of Navkothi P.S. Case No.117 of 2017, subject to the following conditions:

(1) One of the bailors will be his own



blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioner shall not indulge himself in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of his failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate 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.

(Anjana Mishra, J)

Rakesh/PNM

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