

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.74121 of 2018

Arising Out of PS. Case No.-156 Year-2018 Thana- KARAHGAR District- Rohtas

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Arun Rai Son of Sri Gopal Rai, Resident of Village- Tornih Lehar, P.S.-
Kargahar Seedhi OP, District- Rohtas.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Ajay Kumar Thakur, Mr. Udbhav, Ms. Shweta, Advocates
For the Opposite Party/s		Mr.Aditya Narayan Singh 1

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 21-01-2019 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, 341, 323, 307, 504, 506 IPC and Section 27 of the Arms Act registered in connection with Kargahar P.S. Case No. 156 of 2018.

3. It is submitted that the petitioner has been falsely implicated for the accusation that he fired by 'katta' causing injury to Bharat Paswan. There is case and counter case between the parties. In the FIR instituted at the instance of the petitioner, the time of occurrence is stated as 5.00 p.m. and the information has been given at 7.00 p.m. on 24.04.2018 in which the said Bharat Paswan is said to have been injured by the informant of the present case. The present FIR has been instituted subsequently on the information given at 9.00 p.m. for the alleged occurrence at 8.00 p.m. on the same day. The petitioner claims clean antecedents.

4. Learned APP submits on the basis of case dairy that the injured Bharat Paswan has stated that he was shot while he was



walking at 5.30 p.m., but did not know whose firing caused the injury.

5. Be that as it may, having regard to the entirety of the facts and circumstances, 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 ACJM, Sasaram (Rohtas), in connection with Kargahar P.S. Case No. 156 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and also subject to the following 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 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.

iv. 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.

(Vikash Jain, J)

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