

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48997 of 2019

Arising Out of PS. Case No.-273 Year-2018 Thana- HILSA District- Nalanda

SANTOSH PRASAD @ JHAMLAL S/o Raj Kishore Prasad At the resident
of Village- Biskurwa, P.S.- Hilsa, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Ranjit Ranjan
For the Opposite Party/s : Mr.Nirmal Kumar Sinha

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 30-09-2019 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 307, 452, 379 of the Indian Penal Code and Section 27 of the Arms Act.

Informant in his written complaint has alleged that on 24.05.2018 at about 6:30 am when he was sitting with his wife then Raj Kishore Prasad Yadav and Santosh Prasad @ Jhamlal came armed with pistol and Jitendra Prasad, Dharmendra Prasad, Ram Kripal Yadav and Pancham Yadav with lathi and at the instigation of Raj Kishore Yadav, Santosh Yadav fired upon him which hit his wife Shyampati Devi and thereafter she was taken to the Hospital where she is being treated by the Doctors.

It has been submitted on behalf of the petitioner that



petitioner has been falsely implicated in this case due to enmity and rivalry. Injury found on the wife of the Informant is not a fire-arm injury but sharp cutting injury which is simple in nature. Petitioner is in custody since 17.06.2019.

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 court below where the case is pending, in connection with **Hilsa P.S. Case No. 273 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/her absence on two consecutive dates without sufficient reason, his/her 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			
---	--	--	--

