

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49997 of 2019

Arising Out of PS. Case No.-79 Year-2019 Thana- NAWANAGAR District- Buxar

Prakash Rai Son of Mithlesh Kumar Rai Resident of Village - Varuna, P.S.-
Bikramganj, Distt - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun Kumar Singh

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 27-09-2019 Heard the learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks regular bail in connection with
Nawanagar (Sonbarsha) PS case no. 79 of 2019 instituted for the
offences punishable under Section 394 of Indian Penal Code and 27
of Arms Act.

The allegation is regarding the accused persons
including the petitioner herein having shot at the owner of a shop
after approaching the said shop, whereafter they are said to have
taken away money from the cash box.

The learned counsel for the petitioner submits that
the petitioner has been falsely implicated in the present case only on
suspicion, inasmuch as the accused persons were apprehended by the
villagers and badly beaten whereupon the district police had, after
great difficulty, managed to free them from the mob. It is also



submitted that neither any recovery has been made from the petitioner nor he has been put on T.I. parade. It is further submitted that though the petitioner is an accused in two other cases, however the petitioner has been enlarged on bail in one of the case and steps have been taken to release him in the other case. The petitioner is stated to be languishing in custody since 01.06.2019, as far as the present case is concerned.

Having regard to the facts and circumstances of the case, the abovenamed petitioner is directed to be released on regular bail on furnishing bail bond of Rs. 10,000/- (Rs. Ten thousand) with two sureties of the like amount each to the satisfaction of C.J.M. Buxar in connection with Nawanagar (Sonbarsha) PS case no. 79 of 2019.

It is further directed that the petitioner shall mark his presence before the officer-in-charge of the concerned police station at 10 am on every Monday, starting from the day he is released on bail, and in case of failure to do so on two consecutive occasions, the present privilege of bail shall stand cancelled automatically and the petitioner shall be taken into custody forthwith.

(Mohit Kumar Shah, J)

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