

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.79481 of 2018

Arising Out of PS. Case No.-261 Year-2018 Thana- AURANGABAD TOWN District-
Aurangabad

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Rahul Giri @ Rahul Kumar Son of Sri Naval Giri, R/o Vill- Raval Bigha,
P.O.- Kunda, P.S - Aurangabad, Hasauli Azarkbe, Distt- Aurangabad.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajiv Ranjan Kr. Pandey
For the Opposite Party/s : Mr.Sri Nand Kishore Pd

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

2 23-01-2019 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner is apprehending his arrest in a case registered for the offences punishable under Sections 147, 148, 149, 341, 323, 504, 506, 302 & 120 of the Indian Penal Code and Section 27 of the Arms Act.

Submission is that the informant claimed to be an eye witness of the occurrence. He has named others in the FIR as perpetrator of the crime. Petitioner is not named therein.

Learned counsel for the informant opposed the prayer of bail on the ground that during investigation, the petitioner was identified as one of the member of the un-lawful assembly.

Considering the entire fact and specific fact that



petitioner is not named in the FIR, lodged by the eye witnesses of the occurrence, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Aurangabad (Town) Police Station Case No. 261 of 2018, subject to conditions as laid down under Section 438(2) of the Code of Criminal procedure as well as condition that the petitioner shall fully co-operate with the investigation/trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(Birendra Kumar, J)

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