

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78835 of 2018

Arising Out of PS. Case No.-127 Year-2018 Thana- KOTWALI District- Munger

Md. Amir S/o Md. Nehal Ahmad R/vill-Muhalla-Hazi Subhan, P.S-Kotwali,
Distt.-Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh

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

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 09-01-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Kotwali P.S. Case No. 127 of 2018 registered for the offence punishable under Sections 324, 307, 506, 120(B) and 34 of the Indian Penal Code and under Section 27 of the Arms Act.

Informant has alleged that while he was posted at Munger Jail and he was on duty at the outer boundary wall of jail, two unknown miscreants came on motorcycle and fired on him as a result of which he sustained injury and was admitted to Sadar hospital for the treatment. He alleged that on earlier occasion, two inmates of the jail Pawan Mandal and Prince Kumar had threatened to shoot him because the jail staff did not permit to bring illegal articles in jail from outside.

It has been submitted on behalf of the petitioner that he



is innocent and has been implicated in this case on the basis of self confession and except said self confession there is no any other incriminating material against the petitioner. Nothing has been recovered from the possession of the petitioner and he has been remanded in this case from Rosera P.S. Case No.127 of 2018 on 18.04.2018. It has further been submitted that Prince Kumar against whom allegation is that at his instance attack was made by petitioner has already been granted bail as contained in Annexure-2.

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 C.J.M., Munger in connection with Kotwali P.S. Case No. 127 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 absence on two consecutive dates without sufficient reason, his 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)

Sanjay/-

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