

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60368 of 2019

Arising Out of PS. Case No.-406 Year-2019 Thana- BIHARSHARIF District- Nalanda

KRISHNA KUMAR @ PARLE Son of Sri Labli Ram Resident of Village -
Chaukhandiper, P.S.- Bihar, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ajay Kumar Thakur
		Mr.Pravin Kumar
For the Opposite Party/s :		Mr.Akhileshwar Dayal

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

2 26-09-2019 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, 323, 307, 385, 387, 504 and 353 of the Indian Penal Code, registered in connection with Bihar P.S.Case No. 406 of 2019.

3. It is submitted that the petitioner has been falsely implicated in this case on mere suspicion. It is submitted that the prosecution story that two groups of boys were firing at each other, is not corroborated as no empty cartridge has been found from the place of occurrence. It is highly improbable that the petitioner could be identified in the darkness when in the same breath it has



been stated that all the 15-20 boys managed to escape in the cover of darkness. No injury has been caused to anyone. The petitioner claims clean antecedents.

4. Be that as it may, in the event of petitioner's arrest or surrender before 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 the like amount each to the satisfaction of learned Chief Judicial Magistrate, Nalanda, Bihar Sharif in connection with Bihar P. S. Case No. 406 of 2019, 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) That 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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