

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80202 of 2018

Arising Out of PS. Case No.-199 Year-2018 Thana- PIRO District- Bhojpur

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Hari Narayan Singh aged about 47 years Male, S/o - Girja Singh, Resident of
Village - Kurmuri, P.S. Sikarhata, District- Bhojpur.
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar
For the Opposite Party/s : Mr.Sri Binod Kumar

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 28-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in **Piro P.S. Case No. 199 of 2018** registered for the offence punishable under Sections 147, 148, 149, 302/379 of the Indian Penal Code and Section 27 of the Arms Act.

The case of prosecution according to the written report of the Informant is that when his brother was going on his car and was being followed by the Informant, the Informant saw that the co-accused namely, Harshit Kumar started firing indiscriminately upon the deceased whereafter the co-accused Prakash Chaudhary also fired upon the brother of the Informant. Subsequently, co-accused person namely Yogendra Singh and



others are also said to have fired upon the deceased resulting in multiple fire arm injuries on the person of the deceased which led to his death.

It has been submitted on behalf of the petitioner that there is general and omnibus allegation against the petitioner. There is no allegation of any specific over act of firing against petitioner. It is submitted that petitioner has been falsely implicated in the present case. Petitioner was in fact working at his place of work on the day of the incident at Madhupur as has been stated in paragraph no. 9 of the present bail petition. Similarly, situated co-accused persons have been granted bail by co-ordinate benches of this Court vide orders dated 10.01.2019 in Criminal Miscellaneous No. 70931 of 2018 and 22.02.2019 in Criminal Miscellaneous No. 10783 of 2019. Petitioner is in custody since 05.10.2018.

Bail petition is opposed by learned counsel for the Informant and State.

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 **Additional Chief Judicial Magistrate-II, Bhojpur**, in connection with **Piro P.S.**



Case No. 199 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)

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