

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 68046 of 2019

Arising Out of PS. Case No.-105 Year-2019 Thana- AANDAR District- Siwan

=====

BINOD KURMI, aged about 35 years (M), Son of Shri Vidya Sagar Kurmi @
Widha Sagar Singh, Resident of Village- Jaijori, Police Station- Ander,
District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Adv.

For the Opposite Party/s : Mr.Choubey Jawahar

=====

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 04-11-2019 Heard learned counsel for the petitioner and learned APP
for the State.

The petitioner seeks bail in a case registered for the
offence punishable under Sections 341, 323, 448, 504 and
307/34 of the Indian Penal Code Section 27 of the Arms Act.

The prosecution case is briefly stated that the informant
Nagmani Sharma son of Raghubir Sharma, resident of village-
Bhitwar, Police Station-Ander, District-Siwan has filed a written
report before the S.H.O., Ander Police Station on 23.06.2019
alleging therein that on 23.06.2019 at 4.40 p.m. he along with
his father, brother, son of two labourers was doing the work of
home, in that course Sanoj Kurmi and Binod Kurmi came at his
door with motorcycle and fired upon the informant with Katta



and abused him, but he escaped anyhow, which was witnessed by his brother and son. The informant alleged that Sanoj kurmi is veteran criminal. The informant alleged that above named both persons fired upon the informant for killing him. The informant alleged that the reason behind the occurrence is that he always protested the criminal act of the above named accused persons.

Learned counsel for the petitioner submits that there is general and omnibus allegation against the petitioner and no specific allegation of any overt act has been alleged against the petitioner.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.09.2019 and has no criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IX, Siwan, in connection with Ander P.S. Case No. 105 of 2019, subject to the 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 Court and his absence on two consecutive dates without sufficient reasons, 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.

(Anjani Kumar Sharan, J)

amitkumar/-

U		T	
---	--	---	--

