

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70124 of 2019

Arising Out of PS. Case No.-255 Year-2017 Thana- TAJPUR District- Samastipur

Priyawart @ Priyawart Kumar, son of Bishudev Ray, R/o Ward No. 05,
Sakarpura, Sakarpura, Samastipur, Bihar-858205.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar, Advocate

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha, APP

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 15-11-2019 This is an application for grant of anticipatory bail in connection with Tajpur (Vaini O.P.) P. S. Case No. 255 of 2017 disclosing offences under Sections 324, 326, 307, 120-B, 34 of IPC and Sections 25(1-B)a, 26, 35 and 27 of the Arms Act.

As per F.I.R. while the informant and others were shot at the door, three persons came and co-accused Kanhaiya Ram fired on the informant, causing injury and one other co-accused Sunil Kumar Gupta asked the accused to immediately leave the spot and all the accused persons fled away from the spot, as the police is coming. Petitioner is not named in the F.I.R. Later on, his name transpired on the confessional statement of the co-accused.

Submission of the learned counsel for the petitioner is that except confessional statement of the co-accused, there is nothing against him. Even the allegation mentioned in the F.I.R.



is against one Kanhaiya Ram. Considering the same, one co-accused Ajay Paswan has been granted privilege of anticipatory bail by this Court, vide order dated 21.12.2017, passed in Criminal Misc. No. 61740 of 2017.

Heard learned A.P.P. also.

Having heard both sides, considering the above submissions, this application is allowed. Let the petitioner, above named, surrender before the court below within a period of three weeks from the date of receipt of certified copy of this order, on surrender, he will be released on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount to the satisfaction of learned A.C.J.M.-1st, Samastipur, in connection with Tajpur (Vaini O.P.) P. S. Case No. 255 of 2017, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure with condition to co-operate in the investigation and appear before the police as and when required.

(Vinod Kumar Sinha, J)

Sunil Shukla/-

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