

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72130 of 2019

Arising Out of PS. Case No.-602 Year-2019 Thana- BUXAR District- Buxar

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GOLU KUMAR OJHA Son of Indu Bhushan Ojha Resident of Mohalla-
Pandey Patti, Police Station- Buxar (M), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rahul Nath

For the Opposite Party/s : Mr. Mohammed Arif

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-12-2019 Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 302 of the Indian Penal Code and section 27 of the Arms Act.

Informant has stated that on 21.08.2019 while he was in premises of Buxar Civil Court and was returning along with his two brothers Chitranjan Singh and Saroj Kumar Singh when F.I.R. named accused persons variously armed came and on seeing them his brother tried to flee away but they started firing upon him as a result of which, he died. Informant has further stated that at the instigation of Uma Shankar Yadav, Yashwant Yadav, Yashdev Yadav, Vashishth Yadav fired from their pistol



on the back of his brother and he fell down and died.

It is submitted on behalf of petitioner that he is not named in the F.I.R. Allegation of firing is against accused persons named in FIR and his name has surfaced in this case only on the confessional statement of co-accused Harendra Kumar Yadav. Petitioner has clean antecedent and is in custody since 29.08.2019.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending in connection with Buxar Town P. S. Case No. 602 of 2019, 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)

Ranjeet/-

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