

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78962 of 2018

Arising Out of PS. Case No.-139 Year-2018 Thana- BARHIYA District- Lakhisarai

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Raushan Kumar @ Raushan Singh Son of Late Vilayati Singh, Resident of
Village- Balgudar, Police Station- Lakhisarai, District- Lakhisarai.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dharmendra Kumar Raju

For the Opposite Party/s : Mr. Sakir Ahmad

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

3 04-02-2019 Heard learned counsel for the parties.

Petitioner seeks bail in Barhiya P.S. Case No. 139 of 2018 registered for the offence punishable under Sections 341, 323, 385, 386, 504, 506, 307, 34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant has alleged in his written complaint that on 08.08.2018 in the night, F.I.R. named accused including the petitioner along with three unknown accused variously armed came with motorcycle in his office and started abusing him and his brother and when they were stopped, they demanded ransom of rupees one lakh per month and for non-fulfilling of said demand, they were threatened that they would be killed. Informant retaliated and fired from his licensee gun as a result of which they fled away. However, after midnight, they again



arrived and made indiscriminate firing and also damaged his car standing outside the premises.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. There is no allegation of any overt act made against the petitioner and one co-accused who is also named in the F.I.R. has been granted anticipatory bail by a co-ordinate Bench of this Court vide order dated 30.11.2018 passed in Cr. Misc. No.69844 of 2018. Petitioner is in custody since 25.08.2018.

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 Chief Judicial Magistrate, Lakhisarai in connection with Barhiya P.S. Case No. 139 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 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)

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