

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.64562 of 2018

Arising Out of PS. Case No.-247 Year-2018 Thana- WARISLIGANJ District- Nawada

Nippu Lal @ Nippu Kumar Sinha, Son of Anil Kumar Verma @ Anil Kumar Sinha, Resident of Village- Baghi Bardiha, P.S.- Warisaliganj, District- Nawada.

... .. Petitioner

Versus

The State of Bihar.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. N.K. Agrawal, Sr. Advocate Mr. Sanjay Kumar Sinha, Advocate
For the Opposite Party	:	Mr. Jitendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN
ORAL ORDER

3 08-01-2019 Heard learned senior counsel for the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest for the offences alleged under Sections 447 and 307 of the Indian Penal Code and Section 27 of the Arms Act registered in connection with Warisaliganj P.S. Case No. 247 of 2018.

3. It is submitted that the petitioner has been falsely implicated in a dispute involving the informant and his brother over the property which the petitioner was trying to mediate and settle. The accusation against the petitioner of firing and causing injury on the finger of the informant is not supported by any injury report. It is submitted that the petitioner has been implicated only to put pressure upon him to give up his claim for refund of the loan said to have been advanced by him to the informant at the time of marriage ceremony of latter's daughter. The petitioner has been granted anticipatory bail in two other cases in which he had been made accused.

4. Learned APP for the State refers to paragraph 34 of the



case diary which discloses two injuries on the right hand finger of the informant which are however, said to be lacerated wound caused by hard pointed substance and not fire-arm injury.

5. Be that as it may, in the event of the petitioner's arrest or surrender before the court below within six weeks from the date of communication of this order, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Nawada, in connection with Warisaliganj P.S. Case No. 247 of 2018, subject to the conditions as laid down under Section 438 (2) Cr.P.C. and with further conditions--

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) That petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

BT/Chandran

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

