

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.77914 of 2018

Arising Out of PS. Case No.-499 Year-2018 Thana- BAKHTIYARPUR District- Patna

Ashish Kumar @ K.d. Son of Naresh Yadav Resident of Village - Chanda,
P.S. Athmalgola, Distt. - Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Kashyap

For the Opposite Party/s : Mr.Sri Anil Kumar Singh 1

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 04-01-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Bakhtiyarpur P.S. Case No. 499 of 2018
registered for the offence punishable under Sections 147, 148,
149, 341, 323, 307, 427, 353, 283 of the Indian Penal Code and
27 of Arms Act.

Allegation against petitioner and other co-accused is
of blocking N.H. 31 near Raghopur Mawesi Hatt and were
variously armed with lathi, danda and engaged in brick batting.

It has been submitted on behalf of the petitioner that
he is innocent and has been falsely implicated in this case. There
is no specific allegation against petitioner. Nothing has been
recovered from his possession. It has been further submitted that
similarly co-accused, namely, Pawan Kumar and Sushil Kumar



have been granted bail by this Hon'ble Court vide order dated 17.12.2018 passed in Cr. Misc. No. 75542 of 2018 and vide order dated 21.12.2018 passed in Cr. Misc. No. 77053 of 2018 respectively. Petitioner has no criminal antecedent and he is in custody since 04.10.2018.

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/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Barh, Patna, in connection with Bakhtiyarpur P.S. Case No. 499 of 2018 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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