

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16942 of 2020

Arising Out of PS. Case No.-590 Year-2019 Thana- MANER District- Patna

Jaleshwar Roy Son of Late Dhurkheli Rai Resident of Village - Sherpur, P.S.-
Maner, Dist.- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar, Advocate
For the Opposite Party/s	:	Md. Shakir Ahmad, APP
For the Informant	:	Mr. Rajesh Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 28-08-2020 This matter has been taken up through Video Conferencing.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Sections 147/148/149/ 387/ 307 / 302/504/506 of the Indian Penal Code and Section 27 of the Arms Act.

Submission is that co-accused Munna Rai has been allowed bail on 23.06.2020 in Cr. Misc. No.18682 of 2020 by a coordinate Bench of this court.

Learned counsel for the informant opposed the prayer for bail on the ground that petitioner was carrying a Katta at the



time of occurrence when others allegedly caused fire-arm injury and death of other persons. Therefore, intention of the petitioner was clear to commit some crime along with other members of unlawful assembly who committed the crime. He next submits that petitioner has got criminal antecedent. Therefore, according to learned counsel case of the petitioner is distinguishable from the case of co-accused Munna Rai, who has been allowed bail by a coordinate Bench of this Court.

Considering the facts that investigation of the case is already complete and though the petitioner was a member of unlawful assembly, however, he is not alleged to have committed any overt-act, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Maner P.S. Case No.590 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.



(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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