

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25542 of 2020

Arising Out of PS. Case No.-191 Year-2019 Thana- CHARPOKHARI District- Bhojpur

NIRAJ KUMAR BHATT S/o Akhilesh Bhatt Resident of Village- Balbandh,
P.S.- Charpokhari, District- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 30-09-2020 . As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

. This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Charpokhari PS Case No. 191 of 2019 registered under Sections 307, 506/34 of the IPC, Section 66 of Information Technology Act and Section 27 of the Arms Act.

Prosecution case is that at a dance party in birthday



celebration at the petitioner's place four co-accused persons have indulged in indiscriminate firing during course of celebration.

Learned Counsel for the petitioner submits that firing is not attributed against the petitioner. Petitioner is in custody since 16.11.2019. He is on bail in Charpokhari PS Case No. 138 of 2018 which is pending against him since before. Co-accused Akhilesh Kumar Rai has already been allowed bail in Cr. Misc. No. 74116 of 2019. One Lallu Singh, who allegedly fired, has already been allowed bail.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Sri Puja Kumar Jha, Judicial Magistrate, 1st Class, Bhojpur at Arra in Charpokhari PS Case No. 191 of 2019 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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