

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24264 of 2020

Arising Out of PS. Case No.-360 Year-2019 Thana- GAYA KOTWALI District- Gaya

Suraj Kumar @ Kainchia Son of Lalji Prasad Resident of Mohalla - Bangla
Asthan, Maharani Road, Police Station - Kotwali, District - Gaya.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner : Mr. Shailesh Kumar, Advocate

For the Opposite Party : Mr. Akshay Lal Pandit, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 23-09-2020 Heard learned counsel for the petitioner and the State
through Video Conferencing.

The petitioner seeks bail in a case registered for the offence punishable under sections 307/379 and other ancillary sections of the Indian Penal Code and under section 27 of the Arms Act.

Prosecution's case, in brief, is that about 20 to 25 armed boys came to the shop of the informant and started searching his son. They damaged the shop counter and took away Rs.30,000/- from the counter. Accused persons also damaged nearby hotel and street vendor shops. In the meantime, when informant reached there, two accused persons Lalo @ Rohit Paswan and Aman Paswan fired upon him but anyhow he saved himself.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case as no such occurrence took place. Petitioner has neither been arrested at the spot nor anything incriminating has been recovered from his possession. Similarly situated co-accused have already been allowed bail by different benches of this



Court vide Annexure 2 series. Petitioner has got no criminal antecedent and he is in custody since 20.11.2019.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Gaya in Kotwali Police Station Case No. 360/2019 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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