

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69570 of 2019

Arising Out of PS. Case No.-1086 Year-2018 Thana- SITAMARHI District- Sitamarhi

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Dhiraj Kumar Jaiswal, Son of Dinesh Prasad, Resident of Village - Musachak,
P.S.- Bairgania, Distt - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Dr. Indihar Kumari, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 29-01-2020 Heard Learned Counsel for the parties.

Petitioner is an accused in a case registered for the offence punishable under Sections 324, 307/34 of the Indian Penal Code and Section 27 of the Arms Act.

The Prosecution case in brief is that in the night of 29.11.2018 informant was closing the showroom in the meantime two unknown persons came on a motorcycle and fired upon informant which hit at his right elbow and right side of the chest.

Learned counsel for the petitioner submits that petitioner is not named in the F.I.R. Further appears that petitioner is accused in Sitamarhi P.S Case no. 1140 of 2018, in which he confessed his involvement in this case. Till date petitioner has not been put on TI parade. Save and except this there is no material to show complicity of this petitioner in the aforesaid crime. He is in custody since 12.06.2019. Charge sheet has already been submitted in the case and there is no allegation of tempering with the evidence.



In view of the facts and circumstances of the case, prayer for bail of the petitioner is allowed. Let the petitioner, mentioned above, be released on bail on furnishing the bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Learned C.J.M., Sitamarhi in Sitamarhi Police Station Case No. 1086 of 2018, 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 his absence on two consecutive dates without sufficient reason, his 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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