

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73839 of 2019

Arising Out of PS. Case No.-114 Year-2015 Thana- MATIHANI District- Begusarai

RAJ KUMAR @ BUDHNA @ BUDHAN SINGH Son of Ram Padrath Singh
Resident of Village - Sihma, Matihani-2, Sihman Barari, P.S.- Matihani,
Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pritish Kumar Lal
For the Opposite Party/s : Mr.Lalan Kumar

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

4 20-01-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 147, 148, 149, 452 and 302 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is of firing upon the brother of the Informant along with FIR named accused, who succumbed to his injuries.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case due to animosity and suspicion. It is doubtful that Informant was an eyewitness. Co-accused Prince Kumar @ Prem Kumar, Raushan Kumar and Ramadhar Singh have been granted bail whereas



Dilip Kumar has been acquitted.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Matihani P.S. Case No. 114 of 2015**, with following conditions:-

(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 shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.

(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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