

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75400 of 2019

Arising Out of PS. Case No.-17 Year-2019 Thana- NAUBATPUR District- Patna

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BHARAT SINGH @ BHARAT KUMAR Son of Rangdar Singh @ Amrendra Singh @ Amrendra Kumar Resident of Village-Sheikhpura, P.S.-Naubatpur, District-Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Pramod Kumar Singh, Advocate
For the Opposite Party/s : Mr.Mithlesh Kumar Khare, APP

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CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

9 12-11-2020

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.

Mr. Mithlesh Kumar Khare, APP is appearing for the State as it is submitted that the brief has been allotted to him by the office of Advocate General.

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 Naubatpur. PS Case No. 17 of 2019 registered under Sections 506, 384, 386, 387/34 of the IPC and Section 27 of the Arms Act.

Prosecution case alleges indiscriminate firing by some persons on the gate of his school.

It is submitted by learned Senior Counsel that the informant has not named the accused persons. The petitioner's



implication is during course of investigation based on other criminal antecedents. The petitioner is already on bail in four cases pending against him since before. Neither there is allegation that any money was taken on account of extortion nor there is any incriminating recovery from petitioner's possession. The other co-accused have already been allowed bail in Cr. Misc. Nos. 62997/2019, 13530/2020 and 20941/2020. The petitioner is now in custody since 30.4.2019.

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 ACJM II, Danapur. in Naubatpur PS Case No. 17 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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