

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81124 of 2019

Arising Out of PS. Case No.-470 Year-2019 Thana- GAYA KOTWALI District- Gaya

MD. PRINCE, S/o Md. Mithu @ Md. Mitu R/o village- Banke Gali (K.B. Lane) Panchaitiya Akhara, P.S.- Kotwali, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sheikh Arkan Ahmad

For the Opposite Party/s : Mr. Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 20-03-2020 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offence punishable under Sections 147, 149, 153A, 295A and 307 of the Indian Penal Code.

According to F.I.R., a mob of particular community was firing against another community. Two persons were identified by the informant. Fire arm injury was caused to some female and children. However, none of the witnesses specifically stated that the firing of this petitioner has caused injury to anyone. Petitioner has got no criminal antecedent and is in custody since 12.10.2019. Investigation of the case is already complete.

Learned counsel for the petitioner submits that co-



accused Md. Jamil who is also named in the F.I.R., has been allowed anticipatory bail by a co-ordinate Bench of this Court in Cr. Misc. No. 81603 of 2019. Petitioner is ready to cooperate with the trial. There is no material to substantiate that the petitioner is going to tamper with the evidence or hamper the trial.

Learned counsel for the informant opposed the prayer for bail on the ground that the allegation is very serious as fire arm injury was caused by the mob without any rhyme and reason.

Considering the fact that there is no specific allegation against the petitioner to have caused fire arm injury to anyone as well as completion of investigation, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Kotwali P.S. Case No. 470 of 2019, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below having immovable property in their name.

(b) The petitioner shall fully cooperate with the trial



of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner and forfeit the bail bond amount of the bailors.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

mantreshwar/-

U		T	
---	--	---	--

