

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 84657 of 2019

Arising Out of PS Case No.-521 Year-2018 Thana- BARAUNI District- Begusarai

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Avinav Apurwa @ Bam Singh @ Baban Singh, aged about 44 Years, Gender-
M, Son of Late Baleshwar Singh Resident of Village - Tajpur, PS- Maranchi,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kumar Sinha, Advocate
For the State : Mr. Satyendra Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN
AMANULLAH

ORAL JUDGMENT

Date : 17-03-2020

Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Barauni
(Refinery) PS Case No. 521 of 2018 dated 06.11.2018 instituted
under Sections 307/34 of the Indian Penal Code and 27 of the
Arms Act.

3. The allegation against the petitioner is of firing on the
informant though not causing any injury.

4. Learned counsel for the petitioner submitted that as
per the allegation, the petitioner and another person had fired on
the informant but no injury was caused whereas with regard to
another co-accused, who is also said to have fired, his bullet has



hit the informant in the abdomen for which he has been treated. Learned counsel submitted that the petitioner has no connection in the dispute between the parties and further that he is a businessman pursuing his own vocation and does not have any other criminal antecedent. It was submitted that the petitioner is in custody since 03.10.2019.

5. Learned APP, from the case diary, could not controvert the fact that the alleged firing from the petitioner did not hit the informant.

6. Considering the facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 25,000/- (Twenty Five thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Begusarai in Barauni (Refinery) PS Case No. 521 of 2018. One of the bailors shall be a close relative of the petitioner. One of the bailors shall be a close relative of the petitioner. The petitioner and the bailors shall execute bond with regard to good behaviour of the petitioner. The petitioner shall also give an undertaking to the Court that he shall not indulge in any criminal activity. Any violation of the terms and conditions of the bonds or the undertaking shall lead to cancellation of his bail bonds. The



petitioner shall cooperate in the case and be present before the Court on each and every date. Failure to cooperate or appear on two consecutive dates, without sufficient cause, shall also lead to cancellation of his bail bonds.

7. The application stands disposed off in the aforementioned terms.

(Ahsanuddin Amanullah, J.)

P. Kumar

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