

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14888 of 2021

Arising Out of PS. Case No.-282 Year-2020 Thana- MASAUDHI District- Patna

Rocky Kumar, S/o Pappu Singh @ Suresh Singh, R/o Village- Sabdullahchak,
P.S.- Masaudhi, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr.Prafull Chandra Thakur, Advocate
For the S t a t e	:	Mr. Brajendra Nath Pandey, APP
For the Informant	:	Mr. Saroj Kumar Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

3 05-10-2021 A supplementary affidavit has been filed in which it is stated that due to typographical omission, Section 27 of the Arms Act could not be mentioned in paragraph 1 of the bail petition.

Considering the assertion made in the supplementary affidavit, this Court would direct that along with other offences mentioned in paragraph 1 of the bail petition, Section 27 of the Arms Act may also be read.

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

The petitioner seeks bail in connection with Masaudhi P.S. Case No.282 of 2020 registered for the offence punishable under Sections 147, 148, 149, 323, 307, 34 of the



Indian Penal Code and Section 27 of the Arms Act.

Counsel for the petitioner submits that the allegation of causing injury on the knee of the informant by firearm has not been corroborated in the investigation. Chargesheet has not been submitted under Section 307 I.P.C. and there is no injury report to sustain the allegation. The petitioner has clean antecedents and is in custody since 05.06.2020.

Learned APP for the State has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the petitioner's counsel. Prayer for bail of the petitioner is allowed.

Let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Masaurhi, in connection with Masaudhi P.S. Case No.282 of 2020, 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.

This Court would expect that the petitioner's counsel would honour his undertaking in the instant proceedings regarding supply of the requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

(Madhuresh Prasad, J)

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