

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28099 of 2021

Arising Out of PS. Case No.-449 Year-2019 Thana- BAIRIYA District- West Champaran

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JAI SINGH @ JAI PRAKASH SINGH Son of Sri Nathu Singh, Resident of
Village- Pujaha Patjirwa, P.S.- Srinagar, Pujaha, District- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Shiv Kumar Dwivedy, Advocate

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

(The proceedings of the Court are being conducted through Video Conferencing and the
Advocates joined the proceedings through Video Conferencing from their residence.)

2 17-06-2021 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection
with Bairia P.S. Case No. 449 of 2019 registered for the offence
punishable under Sections 307, 504/34 of the Indian Penal Code
and Section 27 of Arms Act.

Informant has alleged that on 24.12.2019 after
closing his jewellery shop, when he proceeded for his house,
two unknown persons riding on motorcycle were abusing each
other, upon which he objected that why you are publicly abusing
each other, then the pillion rider took out his pistol and fired
upon informant, as a result of which he sustained firearm injury

in his right thigh and thereafter he was shifted to hospital for treatment.

It has been submitted on behalf of petitioner that FIR is against two unknown and the informant has stated in the FIR itself that he can identify the assailants, if they are produced before him but no Test Identification Parade was done. Apart from this case in one related case he is remanded in this case on 12.03.2020. Charge sheet has already been submitted on 04.10.2020.

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/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Bettiah, West Champaran, in connection with Bairia P.S. Case No. 449 of 2019 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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)

Rajiv/veena-

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