

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35656 of 2020

Arising Out of PS. Case No.-314 Year-2017 Thana- UDWANTNAGAR District- Bhojpur

Niraj Kumar @ Nepali, aged about 20 years, Son of Upendra Singh Resident
of Village - Lodipur, P.S. - Chandi, District – Bhojpur ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr. Prabhat Kumar Singh, Advocate

For the Opposite Party : Mr. Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 22-01-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case registered for the offence punishable under sections 302/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, FIR named accused persons fired on the brother of the informant as a result of which he sustained fire arms injuries and succumbed to the said injuries. Petitioner has got no criminal antecedent as stated in paragraph 3 of the bail petition.

Learned counsel for the petitioner submits that the petitioner is not named in the FIR and his name has come in the case during investigation on the basis of suspicion. Petitioner has got no criminal antecedent. Charge sheet has also been filed in the case. Petitioner is in custody since 24.6.2019. Similarly situated co-accused persons Pawan Choudhary, Ranjit Choudhary and Abhishek Kumar have already been allowed bail by different co-ordinate benches of this Court vide Annexure 2 and 3.

In the facts of the case, prayer for bail of the petitioner is allowed. Let the petitioner mentioned above be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Chief



Judicial Magistrate, Bhojpur at Ara in Udwantnagar Police Station Case No. 314 of 2017 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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