

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 37982 of 2020

Arising Out of PS. Case No.-513 Year-2019 Thana- HILSA District- Nalanda

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Kamlesh Prasad @ Bhushan Gope S/o Saryug Gope R/o Village- Milki Par,
P.S.- Parwalpur, District- Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Rajeev Kumar, Advocate

For the Opposite Party/s : Mr.A.G

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 24-02-2021 Heard learned counsel for the petitioner and the
learned APP for the State.

The petitioner seeks bail in Hilsa Police Station (for
brevity, *PS*) Case No 513 of 2019 instituted for the offence
punishable under Sections 147, 148, 149, 448, 504, 307 of
Indian Penal Code and Section 27 of Arms Act.

Earlier, the prayer for bail on behalf of the petitioner
was rejected under order dated 26.06.2020 passed in Cr Misc
No 18252 of 2020 (Annexure 1). He is in judicial custody since
07.12.2019.

It is submitted by the petitioner's counsel that injuries
have been found on the two victims. However, the same are by
hard and blunt substance. Against the petitioner, there is
allegation of firing upon the informant. Such gunshot injury is
not corroborated in the course of investigation.

The learned APP for the State has opposed the prayer
for bail.



Considering the rival submissions, prayer for bail is allowed. Let the petitioner, above named, be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate, Hilsa, Nalanda in Hilsa PS Case No 513 of 2019 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.

Learned counsel for the petitioner is expected to honour his undertaking given in the instant proceedings today for depositing requisite Court fee and removing the defect (s), as pointed out, when called upon to do so.

(Madhuresh Prasad, J)

M.E.H./-

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