

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38407 of 2020

Arising Out of PS. Case No.-32 Year-2020 Thana- LALGANJ District- Vaishali

ASHUTOSH KUMAR @ ASHUTOSH KUMAR SINGH @ KRISHNA KUMAR, Son of Dinesh Singh, Resident of Village - Premganj, Police Station - Lalganj, District - Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kumar, Advocate
For the Opposite Party/s : Ms. Gulnar Begum, A.P.P.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 23-03-2021 Heard learned counsel for the petitioner and learned APP
for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 186, 353, 307, 427, 504/34 of the Indian Penal Code and Sections 25(1-B)a, 26, 27 and 35 of the Arms Act.

According to FIR, the police party suspected that on a Scorpio vehicle, Baiju Mahto, the noted criminal of the area was there. When the police asked to stop, the people in the vehicle started firing at the police party. The police also fired which caused injury to Baiju Mahto as a result whereof Baiju Mahto died and others were apprehended including the petitioner. From possession of the petitioner, a loaded pistol was recovered. However, there is no evidence that the same was used by the petitioner against the police. Petitioner is an accused in a case under Section 307 and other minor sections of the Indian Penal Code vide Birpur P.S. Case No. 911 of 2018. Petitioner is in custody since 26.01.2020. There is no specific



allegation against the petitioner.

Considering the period already undergone by the petitioner and completion of investigation of the case against the petitioner as well as undertaking by the petitioner to cooperate with the trial, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Lalganj Police Station Case No. 32 of 2020, subject to the following conditions:-

(a) The petitioner shall fully cooperate with the investigation/trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(b) Both the bailors shall be resident of the territorial jurisdiction of the learned court below.

(c) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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