

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59360 of 2022

Arising Out of PS. Case No.-128 Year-2022 Thana- MASAUDHI District- Patna

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Golu @ Golu Kumar @ Golu Singh @ Hani Singh S/O Ajay Singh @ Ajay Kumar Singh Resident Of Village- Gola Road, Taregna, Kumhartoli, P.S.- Masaurhi, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Usha Rai

For the Opposite Party/s : Mr. Brajendra Nath Pandey

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 13-03-2023 Heard learned counsel for the petitioner and learned A.P.P. for the State.

Learned counsel for the petitioner has filed a supplementary affidavit on 24.02.2023, in para-2 of which he has stated that para-8 of the bail petition has been typed due to mistake, hence the same is treated as deleted from the bail petition.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 504, 506, 307 and 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per prosecution case, the petitioner along with other accused persons made firing near eastern side of the



informant's house with an intention to kill him.

Learned counsel for the petitioner submits that no such occurrence as alleged ever took place. He has been falsely implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. He submits that the petitioner was not present on the spot but due to enmity he has been made accused in this case. He submits that no independent witness has supported the version of the informant. He submits that there is no specific overt act against the petitioner. Petitioner has got eleven criminal antecedents as mentioned in para-3 of this application.

Learned APP for the State opposes prayer for bail.

Considering the facts and circumstances of the case and the fact that there is general and omnibus allegation against the petitioner, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Masaurhi P.S. Case No. 128 of 2022, subject to the condition as laid down under



Section 438 (2) of the Cr.P.C., subject to the further conditions.

(1) One of the bailors will be their own blood relative, preferably, father, mother, brother, sister and/or his wife.

(2) The petitioners shall not indulge themselves in any similar offence till conclusion of the trial.

(3) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(4) The petitioner shall co-operate with the investigation, if not already concluded and make himself available and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjani Kumar Sharan, J)

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