

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.13083 of 2016

Arising Out of PS.Case No. -99 Year- 2015 Thana -HARNAUT District- NALANDA
(BIHARSHARIFF)

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1. Bittu Kumar Son of Sunil Kumar Singh Resident of village - Cheran,
P.S. Harnaut, District – Nalanda.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Ranjan Sinha

For the Opposite Party/s : Mr. Anuj Kr.Srivastav(App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 18-05-2016 Heard learned counsel for the petitioner as well as

learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 24.09.2015 in a

case registered for the offences punishable under Section 307 and

other minor sections of the Indian Penal Code and Section 27 of

the Arms Act.

Earlier the prayer for bail of the petitioner was

rejected by this court taking note of stage of the case as well as

allegation levelled against the petitioner.

Learned counsel for the petitioner submits that

charge against the petitioner has already been framed but up till

now, not a single prosecution witness could be examined. It is

further submitted that no doubt, there is allegation against the petitioner that he opened fire but according to prosecution case itself, the firing of the petitioner hit on the palm of injured and, therefore, the aforesaid fact goes to show that firing of the petitioner did not hit on vital part of body of the injured. It is also submitted that petitioner is a student and does not have any criminal antecedent and moreover, there is case and counter case between the parties.

Considering the aforesaid facts and circumstances as well as period of detention of the petitioner in jail custody, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-II, Nalanda at Bihar Sharif in connection with Sessions Trial No. 06 of 2016 arising out of Harnaut P.S. Case No. 99 of 2015.

However, it is made clear that any attempt of the petitioner to tamper with the prosecution evidence shall give liberty to learned trial court to cancel the bail bonds of the petitioner after due and proper enquiry.

(Hemant Kumar Srivastava, J)

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