

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42942 of 2017

Arising Out of PS.Case No. -760 Year- 2016 Thana -BANKA District- BANKA

=====

Pintu Kumar Das Son of Chunchun Das, R/o Village- Nimatand, P.S.
+District- Banka.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. Sri Nand Kishore Pd

=====

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 08-11-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
23.01.2017 in connection with Banka P.S. Case No. 760 of 2016
Sessions Trial No. 272 of 2017 for offences punishable under
Sections 384, 307/34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is
that while his nephew Shankar Kumar Das was sleeping in the
house the petitioner along with two others came and stated that
they were members of Naxal organization and demanded Rs.
25,000/- and when nephew raised alarm the petitioner took out his



gun and fired on the abdomen of the informant's nephew who was taken to the hospital for treatment.

It has been submitted by the learned counsel for the petitioner that he is innocent and has been falsely implicated in the aforesaid case. He submits that he bears no criminal antecedent, is not a member of the Naxal organization and that the victim had been referred to the P.M.C.H. and discharged thereafter which is evident from the case diary.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record as well as the period of custody, let petitioner, above named, 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 learned 1st Additional Sessions Judge, Banka in connection with Banka P.S. Case No. 760 of 2016 Sessions Trial No. 272 of 2017, subject to the conditions that:

- (1) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (2) Petitioner will appear before the learned court below during trial as and when required and failure to appear on



two consecutive dates without assigning any reason will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Devendra/-

U		T	
---	--	---	--

