

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.73017 of 2018

Arising Out of PS. Case No.-260 Year-2017 Thana- BARH District- Patna

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Bittu Kumar @ Sanni @ Sani Son of Satendra Singh Resident of Village-
Bisarpur, P.S. Naubatpur, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ashok Kumar Sinha

For the Opposite Party/s : Mr. Sri Ahmad Ali

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 13-12-2018

Heard learned counsel for the parties.

Petitioner seeks bail in Barh P.S. Case No.260 of 2017 registered for the offence punishable under Sections 302, 120B/34 of the Indian Penal Code and Section 27 of the Arms Act.

Informant in his fardbeyan has stated that when he and deceased Guddu Singh were being taken to jail from court, 4-5 miscreants fired upon the informant and Guddu Singh and, thereafter, Guddu Singh died and told him that Sonu, Monu and other five more persons had fired upon him. However, in the postmortem report, only one injury was found on the person of said Guddu Singh.

It has been submitted that petitioner has been falsely implicated in this case due to dirty politics. It has further been



submitted that he is not named in the F.I.R. and his name has surfaced in this case on the confessional statement made by co-accused, Monu Kumar, who has already been granted bail by this Court as contained in Annexure 4. Petitioner is in custody since 21.08.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Barh, District, Patna in connection with Barh P.S. Case No.260 of 2017, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

Sanjay/-

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