

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57676 of 2019

Arising Out of PS. Case No.-18 Year-2019 Thana- ATHMALGOLA District- Patna

PINTU KUMAR Son of Bachchu Yadav Resident of Village - Ghanghdih,
P.S.- Bakhtiyarpur, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nilesh Kumar

For the Opposite Party/s : Mr.Ashok Kumar Singh

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

5 17-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner is in custody since 18.02.2019 in connection with Athmalgola P.S. Case No. 18 of 2019 for the offence registered under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the present petitioner is alleged to have caught hold of the deceased while the accused persons were attacking. However, the informant appears to have been distinctly removed from the place of occurrence, as he had gone to pass urine at a distant place and the deceased was sleeping in the *Khalian*. The source of identification has not yet been indicated in the first information report, which places the entire prosecution story



under a cloud.

Learned counsel for the State, however, submits that the petitioner had assisted the accused persons and, therefore, he may not be granted the privilege of bail.

Having considered the entire facts and circumstances of the case and that the petitioner has no criminal antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge -V, Patna in connection with Sessions Trial No. 855 of 2019 arising out of Athmalgola P.S. Case No. 18 of 2019, subject to the following conditions:-

1. One of the bailors will be his own blood relative, preferably, father, mother, son, brother, sister and/or his wife.
2. The petitioner shall not indulge himself 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 his 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 as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Anjana Mishra, J)

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