

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59107 of 2019

Arising Out of PS. Case No.-133 Year-2019 Thana- ASHTHAWAN District- Nalanda

1. TINKU KUMAR Son of Manna Lal Sao @ Manna Lal @ Munna Lal Resident of Village - Asthawan, P.S.- Asthawan, Dist.- Nalanda.
2. Guddu Sao Son of Late Shiv Kumar Sao Resident of Village - Asthawan, P.S.- Asthawan, Dist.- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Navin Kumar Pandey

CORAM: HONOURABLE JUSTICE SMT. ANJANA MISHRA
ORAL ORDER

3 25-10-2019 Heard learned counsel for the petitioners and learned counsel for the State.

Learned counsel for the informant is also present.

The petitioners are in custody since 19.08.2019 in connection with Asthawan P.S. Case No. 133 of 2019 for the offence registered under Sections 147, 148, 149, 341, 323, 325, 307, 504 and 506 of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioners submits that though there is an allegation of indiscriminate firing at the hands of the petitioners along with other accused persons, there is no specific role attributed to the present petitioners. It is further



submitted that enmity was between one Munna Lal Saw and others with regard to some land which was being negotiated for sale but so far as these petitioners are concerned, there is no specific allegation against them.

Learned counsel for the informant, however, submits that on account of indiscriminate firing several injuries were found which is clear from the injury report. He thus, submits that the petitioners do not deserve the privilege of bail

Considering the aforesaid facts and circumstances of the case and that the petitioners have no criminal antecedents as well as similarly situated co-accused persons has since been extended the privilege of bail by the Court below itself vide order dated 09.10.2019, 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 ACJM, VI, Nalanda at Biharsharif in connection with Asthawan P.S. Case No. 133 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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