

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5316 of 2020

Arising Out of PS. Case No.-279 Year-2018 Thana- BAIRIYA District- West Champaran

AKHILESH SAH Son of Late Ramchandra Sah @ Ram Chandar Sah
Resident of Village - Bhatwaliya, P.S.- Bairiya, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vibhakar Kumar, Advocate.

For the Opposite Party/s : Mr.Nitya Nand Tiwary, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 09-10-2020

This matter has been taken up in virtual Court.

Heard the parties.

The petitioner is languishing in custody for the offence punishable under Sections 341, 307, 302 and 504/34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he caused fire arm injury at the back of the deceased. Petitioner is in custody since 08.08.2018. In the past, prayer for bail was refused on 18.04.2019 in Cr. Misc. No. 4362 of 2019.

The report of the trial Judge regarding stage of trial reveals that the informant has not been examined in this case besides other official witnesses. Petitioner is ready to cooperate with the trial. There is no chance of conclusion of trial in near future due to COVID-19 effect.



Considering the entire facts, there is no reason for further detention of the petitioner as under-trial prisoner. Hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Bairiya P.S. Case No. 279 of 2018, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

(Birendra Kumar, J)

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