

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 6785 of 2020

Arising Out of PS. Case No.-156 Year-2019 Thana- GAURICHAK District- Patna

RANDHIR KUMAR @ RANDHIR YADAV @ BANDA S/o Arjun Rai @
Arjun Yadav R/o village- Chakrihiya @ Chakrahima, P.S.- Gaurichak,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nagendra Kumar Singh, Adv.
For the Opposite Party/s : Mr.Pancha Nand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 05-10-2020 The proceedings of the Court are being conducted
through Video Conferencing and the Advocates joined the
proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Sections 302, 120(B) of the Indian Penal Code and 27
Arms Act.

Informant is the wife of deceased, who has alleged in
her fardbeyan that on 29.03.2019 at about 2.30 PM while her
husband alongwith one Bimlendu Singh was returning after
purchasing mutton, they were intercepted by two accused riding
on a motorcycle who shot her husband, as a result of which her



husband died on the spot and Bimlendu Singh fell down from the motorcycle. It is further alleged that two months prior some altercation had taken place between her husband and accused persons including petitioner with respect to land dispute and they had lodged a case against her husband. Informant further alleged that petitioner and other co-accused in a conspiracy have killed her husband.

It has been submitted on behalf of petitioner that he is innocent and has been falsely implicated in this case only on the basis of suspicion and due to village politics. It has been further submitted that after lodging of FIR the informant filed an application before the Police Official and she has clearly stated that her husband was killed by other person not by this petitioner. It has been further submitted that elder brother of the deceased had filed protest cum complaint petition in which it is alleged that informant had hatched a conspiracy for murder of her husband and after three months she got married with another person. There is no eye witness of the occurrence.

Considering the facts and circumstances of the case, prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, Petitioner is directed to be



released on bail on furnishing bail bonds of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M., Patna City, in connection with Gaurichak P.S. Case No. 156 of 2019 corresponding to G.R. No. 2084/2019 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure 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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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)

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