

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9081 of 2020**

Arising Out of PS. Case No.-386 Year-2016 Thana- HAJIPUR SADAR District- Vaishali

PRINCE KUMAR @ SAHIL, aged about 20 years (Male), Son of Late Ram Jiwan Rai @ Ram Janam Ray, Resident of Village- Lalpokhar, Dighi, P.S.- Sadar, Hajipur, District- Vaishali.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Alok Kumar Alok, Advocate.
For the Opposite Party : Mr. Dinesh Singh, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER**

4 08-06-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

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

The petitioner seeks bail in a case registered for the offences under Sections 394 of the IPC and 27 of the Arms Act. Later on, Section 302 of the I.P.C. was also added.

The prosecution case, in short, is that on 18.10.2016 at about 10.30 O’Clock, staff of the informant, namely, Ajit Kumar, was shot by three unknown criminals and robbed his bag containing cash of Rs. 6,37,000/- and fled away. He was



admitted in hospital in injured condition at Hajipur and from there he was referred to P.M.C.H., Patna.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.10.2019. The petitioner has falsely been implicated in the present case. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. His name has come in the present case on the basis of confessional statement of co-accused Jitendra Paswan and Chhotu Paswan. There is no recovery of any incriminating article from possession of the petitioner. The petitioner has not been put on T.I. Parade.

On behalf of the State, it is submitted that the petitioner is not named in the F.I.R.

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned C.J.M., Vaishali at Hajipur, in connection with Sadar (Hajipur) P.S. Case No. 386 of 2016.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four



weeks to the satisfaction of the court concerned in connection
with the aforesaid case.

(Sudhir Singh, J)

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