

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8462 of 2020

Arising Out of PS. Case No.-216 Year-2019 Thana- MIRGANJ District- Gopalganj

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SANJEET KUMAR Son of Chandev Das @ Chandradeo Das Resident of
Village - Suhaigarh, P.S. - Runisaidpur, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Indrajeet Bhushan

For the Opposite Party/s : Mr. Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

3 25-06-2020 The matter has been taken up through virtual court
proceeding.

Heard learned counsel for the petitioner and the State.

The petitioner, who is languishing in custody since
27.10.2019, has preferred the present application for grant of
bail in a case registered for the offences punishable under
Sections 387 and 307/34 of the IPC and Section 27 of the Arms
Act.

The prosecution case, as per the fardbeyan of Binod
Kumar, recorded by S.I. Mukesh Kumar, S.H.O., Mirganj Police
Station, on 02.09.2019 at 10.15 P.M. at Camp Alam Hospital,
Mirganj is to the effect that on the same day, the informant was
inside his house when his staff came and conveyed him that
someone is calling him outside. Thereupon, the informant came



outside and he found that the five accused persons on two motorcycles were present there, who asked the informant as to why extortion money did not reach them and thereafter they fired and when the informant started to flee away, co-accused, Vishal Singh resorted to fire causing injury on his back. The petitioner was not named in the FIR. His name subsequently sprang up during investigation on the confession of co-accused Vishal Singh and Karan Singh, as the person who also fired. Subsequently, the petitioner also confessed his guilt before the police.

Learned counsel for the petitioner submits that neither any recovery has been made from the conscious physical possession of the petitioner nor has the petitioner been put on T.I. Parade. The investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the name of the petitioner sprang up on the confession of co-accused persons.

Considering the fact that the petitioner has not been put on T.I. Parade, investigation has already been concluded and the petitioner is not having any criminal antecedent, let the petitioner above named be released on bail for the present



provisionally for a period of three months on furnishing one surety to the satisfaction of the learned ACJM-XVI, Gopalganj, in connection with Mirganj P.S. Case No. 216 of 2019.

However, in view of the present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of his Aadhar Card to the effect that he is ready to become the bailor of the petitioner which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioner will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10000/- (ten thousand) with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned ACJM-XVI, Gopalganj, in connection with Mirganj P.S. Case No. 216 of 2019.

The learned Court below will be at liberty to extend the period of provisional bail further if the court proceeding in physical mode will not resume in next three months.

(Dinesh Kumar Singh, J)

Amrendra/-

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