

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9196 of 2020**

Arising Out of PS. Case No.-329 Year-2019 Thana- BARAUNI District- Begusarai

PINTU NISHAD @ PINU NISHAD @ PINO NISHAD, aged about 24 years,
Male, Son of Sako Nishad @ Shakaldeo Nishad, Resident of Village-
Malhipur Bind Toli, P.S.- Barauni (Chakiya), District- Begusarai.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ram Sumiran Rai, Advocate.
For the Opposite Party : Mr.Ansar Ul Haque, A.P.P.

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

3 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 353, 307, 379, 511/34 of the IPC, 25(1-
b)a, 26, 27 and 35 of the Arms Act.

The prosecution case, in short, is that on 31.07.2019
at about 2.30 A.M. the petitioner alongwith other co-accused
persons were committing theft of 49 pieces of copper pipes from
the store of N.T.P.C. Barauni and when the police party on the



basis of secret information reached there the petitioner and other co-accused persons in furtherance of their common intention open fire at the police personnel but they escaped unhurt as the shot misfired and thereafter the police personnel chased and apprehended two co-accused persons and from one of them a country made pistol alongwith one misfired cartridge of .315 bore recovered. It is further alleged that one live cartridge of .315 bore was also recovered from the personal search of the co-accused person who were apprehended at the place of occurrence.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 13.12.2019. 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 name of the petitioner has come in the present case on the basis of disclosure made by co-accused. There is no recovery of any arms from possession of the petitioner.

On behalf of the State, it is submitted that the petitioner is 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., Begusarai, in connection with Barauni (Chakiya) P.S. Case No. 329 of 2019 (G.R. No. 2753 of 2019).

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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