

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12610 of 2020

Arising Out of PS. Case No.-6 Year-2020 Thana- LAKHISARAI District- Lakhisarai

PIKU KUMAR, S/o Ramanugrah Singh @ Ramanugrah Prasad Singh, R/o
village- Laldiyara, P.S.- Pipariya, District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Adv.

For the Opposite Party/s : Mr .Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH

ORAL ORDER

2 02-06-2020 The matter has been taken up through virtual Court
proceeding.

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

The petitioner is languishing in custody since
08.01.2020 in a case registered for the offences punishable
under Sections 393, 307 of the Indian Penal Code and Section
27 of the Arms Act.

The prosecution case as per the fardbeyan of Sanoj
Kumar, recorded by A.S.I., Raj Kumar Sah, Vidyapati Chowk
Police Station, Lakhisarai, on 04.01.2020 at 9.00 P.M. is to the



effect that two miscreants on two motorcycle without its registration number entered into the grocery shop of the informant and they tried to robbed off the shop of the informant but they could not do so. In the meantime, the informant's nephew, Rohit Kumar came on a motorcycle, whereupon, the accused fired on Rohit Kumar, but no injury was caused to him and fled away.

It is submitted by learned counsel for the petitioner that the FIR has been lodged against unknown and the name of the petitioner sprang up during investigation. There is no recovery from the possession of the petitioner and admittedly, nothing has been robbed from the grocery shop of the informant. A statement to that effect has been made in paragraph no.10 of the petition. A further statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent. The investigation has already been concluded, but till date the petitioner has not been put on Test Identification Parade.

Learned APP for the State submits that the name of the petitioner transpired during investigation. However, no injury has been caused to anyone.

Considering the fact that that the investigation has



already been concluded and till date the petitioner has not been put on Test Identification Parade, coupled with statement made in paragraph no.3 of the petition that 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 CJM, Lakhisarai, in connection with Lakhisarai P.S. Case No.6 of 2020.

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 the learned CJM, Lakhisarai, in connection with Lakhisarai P.S. Case No.6 of 2020.

The learned Court below is at liberty to further extend



the period of provisional bail if the lock down is not over in next
three months.

(Dinesh Kumar Singh, J)

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