

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20602 of 2020

Arising Out of PS. Case No.-705 Year-2019 Thana- DANAPUR District- Patna

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SUBODH KUMAR S/o Late Amir Rai R/o village- Mainpura Kharanja Road,
P.O. and P.S.- Danapur, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey

For the Opposite Party/s : Mr.Sanjay Kumar Sharma

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 03-07-2020 The matter has been taken up through virtual court proceeding.

Since, the physical court is not functional, due to present pandemic Covid-19, the present application has been listed with defects.

Learned counsel for the petitioner undertakes to remove the defects within three weeks of resumption of functioning of the court in physical mode.

If the defects are not removed within undertaken period, the office will again place the matter on board.

Heard learned counsels for the petitioner and the State.

The petitioner, who is languishing in custody since 19.09.2019, has preferred the present application for grant of



bail in a case registered for the offences punishable under Sections 307, 341, 323, 325, 504 and 506 of the IPC.

The prosecution case, as per the fardbeyan of Ankesh Kumar, recorded by Sanjay Kumar Singh, S.I. of Police, Danapur Police Station on 09.09.2019 at 9.30 P.M., at Emergency ward of Divisional Hospital, Danapur is to the effect that on the same day at about 6.40 P.M., the informant was getting the passengers seated in his auto rickshaw, the petitioner came and demanded certain money for consuming liquor and on non-payment of the same, he assaulted the informant with fists and slaps and thereafter he stabbed the informant on his abdomen.

It is submitted by learned counsel for the petitioner that the petitioner also works as cleaner on the alleged auto rickshaw and there was some scuffle between the petitioner and the informant as a result, the informant received grievous injury from the auto rickshaw. 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 petitioner is named in the FIR with specific accusation.

Considering the fact that there is no accusation of



repeating blow against the petitioner, the investigation has already been concluded coupled with the statement made in paragraph no.3 of the petition to the effect 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 Additional Chief Judicial Magistrate-I, Danapur in connection with Danapur P.S. Case No. 705 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 Additional Chief Judicial Magistrate-I, Danapur in connection with Danapur P.S. Case No. 705 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.

Accordingly, the present application is disposed of.

(Dinesh Kumar Singh, J)

Amrendra/-

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