

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18858 of 2020

Arising Out of PS. Case No.-286 Year-2019 Thana- TATARPUR District- Bhagalpur

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SUMAN KUMAR S/o Late Kamleshwari Mandal Resident of At-
Chandanpura, P.S.- Naya Ram Nagar, Distt- Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Jha

For the Opposite Party/s : Mr.Suresh Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-06-2020 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 APP
for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 302/34 of the Indian Penal Code and 27 of
the Arms Act in which section 120(B) IPC was added later on.

The prosecution case in short is that while the elder
brother of the informant was coming towards his house, the accused
persons fired at him and committed his murder.

It has been submitted on behalf of the petitioner that the
petitioner is in custody since 28.11.2019 and has got no criminal
antecedent. There is no allegation of tampering of witnesses alleged



against the petitioner. Charge-sheet has been submitted in the present case. The petitioner is not named in the F.I.R. The name of the petitioner has transpired on the basis of confession of co-accused namely Raj Kumar Yadav. There is no recovery of any incriminating articles from the possession of the petitioner. The petitioner has not been put on T.I.P. Other co-accused has been granted bail vide Annexure-2 to the present application.

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 A.C.J.M.-7th, Bhagalpur in connection with Tatarpur P.S. Case No. 286/2019.

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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