

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19886 of 2020

Arising Out of PS. Case No.-275 Year-2019 Thana- NAWADA MUFFASIL District- Nawada

SHAMBHU KUMAR (Male), aged about 33 years, Son of Late Bahadur Singh, Resident of Village- Kendua, P.S.- Mufassil, District- Nawada.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Yugesh Chand Verma, Sr. Advocate and Mr. Ansul, Advocate.
For the Opposite Party	:	Mr.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 23-06-2020 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.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks from the date of lifting of the lockdown in the State of Bihar.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offences registered under Sections 341, 323, 302, 201 and 120(B) of the I.P.C.



The prosecution case, in short, is that on 14.09.2019 about 11.00 P.M., the brother of the informant, namely, Sakaldeep Kumar, went to sleep at Wood Shop. He told his younger brother, namely, Laljit Kumar that Sangeeta Devi has called him and he went to her house. In the morning of 15.09.2019 at 6.00 A.M., he heard that a dead body is lying behind the house of Brijnandan Ramani. The informant went to see and found that the dead body of his brother was there. He alleged that due to assault death has been caused. The informant suspected that Sangeeta Devi, Shambhu Kumar (petitioner), Jyotish Kumar, Neha Kumari, wife of Shambhu Kumar and the mother of Shambhu Kumar in connivance with each other killed his brother.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 31.01.2020 and has got no criminal antecedent. 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 transpired in the present case only on the basis of suspicion. There is no eye witness to the alleged occurrence. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in the present case.



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. Nawada in connection with Nawada Mufassil P.S. Case No. 275 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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