

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26289 of 2020

Arising Out of PS. Case No.-330 Year-2018 Thana- TEGHRHA District- Begusarai

CHHOTU KUMAR S/o Vijay Singh Resident of Village-Bihat Tola-Jalelpur,
Ward No.18, P.S.-Barauni, District-Begusarai.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Chandan Kumar Kashyap, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER

2 12-10-2020

As of now the Courts have not resumed normal physical hearing, the matter has been listed today for consideration through Video Conferencing.

The learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual court proceedings from their homes, all with the aid of audio visual technology.

Heard learned Counsel for the petitioner and the learned Counsel for the State.

This Court would expect that the petitioner's Counsel would honour his undertaking in the instant proceedings regarding supply of requisite court fee etc. within two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in Teghra PS Case No. 330 of 2018 registered under Section 394 of the IPC.

Brother-in-law of the informant has been intercepted by three miscreants who have looted him on pistol point. One fire arm injury is also alleged.

It is submitted by learned Counsel for the petitioner that owing to his criminal antecedent the petitioner has been implicated on basis of alleged statement of co-accused Bittu Kumar, which has no evidentiary value. The petitioner has not been put on T. I. Parade. Co-accused Bittu Kumar, who has stated the name of the petitioner,



has been allowed bail in Cr. Misc. No. 40157 of 2019. The petitioner is in custody since 21.5.2019.

Learned APP has opposed the prayer for bail.

Considering the rival submissions as also the facts and circumstances of the case, prayer for bail of the petitioner is allowed.

Let the petitioner above named be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of CJM Begusarai in Teghra PS Case No. 330 of 2018 subject to the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

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