

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22822 of 2020

Arising Out of PS. Case No.-35 Year-2020 Thana- BAKHTIYARPUR District- Patna

SANJEET KUMAR Son of Sri Mithlesh Yadav Resident of Village-Lodipur
Mansurpur, P.S.-Khushrupur, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manoj Kumar Pandey

For the Opposite Party/s : Mr.A.G

(The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 11-09-2020 Heard learned counsel for the parties.

Petitioner who is in custody seeks bail in a case registered for the offence punishable under Sections 302/392 of the Indian Penal Code.

Informant who is brother of deceased has alleged in his written complaint dated 05.02.2020 at about 1:25 pm that on 04.02.2020 at about 10.00 pm in the night he received call of his niece who informed him that while his brother was coming to house after closing the shop in the night some unknown miscreants looted cash Rs. 3000/- and brutally assaulted him on account of which he sustained injuries and is admitted in the ICU ward of Anandita Hospital, Rajendra Nagar, Patna. The



doctor declared his brother dead on 05.02.2020. FIR is against unknown.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case on mere suspicion only. Petitioner is not named in the FIR. It has been submitted on behalf of the petitioner that the name of the petitioner has surfaced in this case on the basis of confessional statement of co-accused. Petitioner has got no criminal antecedent and is in custody since 09.02.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with **Bakhtiyarpur P.S. Case No. 35 of 2020**, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the court below.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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