

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23136 of 2020

Arising Out of PS. Case No.-754 Year-2019 Thana- BIHTA District- Patna

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PINTU KUMAR Son of Lok Nath Rai Resident of Village - Maudahi, P.S.-
Bihta, Distt - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Satish Chandra

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

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-09-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned

A.P.P for the State.

The petitioner seeks bail in Bihta P.S. Case No. 754 of

2019, registered for the offence punishable under Sections 302,

120(B) and 34 of the Indian Penal Code and section 27 of the

Arms Act.

It is alleged that on 30.07.2019 while the informant's

brother was at his mobile shop, some unknown criminal came

there and fired upon him, as a result of which he died on the

spot. It is alleged that murder was committed as there was love

affair between the petitioner and Gunja Kumari.



It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. FIR is against unknown. Name of this petitioner has come in this case on the basis of confessional statement of co-accused Gunja Kumari. Save and except confessional statement of co-accused there is nothing against this petitioner. No incriminating article has been recovered from possession of this petitioner. Co-accused Gunja Kumari has been granted bail by this court vide order dated 05.06.2020 passed in Cr. Misc. No. 6967 of 2020. Petitioner is in custody since 04.02.2020.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Danapur, Patna in connection with Bihta P.S. Case No. 754 of 2019, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be



cancelled by the court below.

(ii) 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.

(Prabhat Kumar Singh, J)

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