

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28307 of 2020

Arising Out of PS. Case No.-185 Year-2019 Thana- ATHMALGOLA District- Patna

ANUKUL KUMAR @ AKUL KUMAR @ ANKUL KUMAR S/o Raj Kumar
@ Raj Kumar Singh @ Polatha Resident of Village- Achuara, P.S.- Barh,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-12-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard both parties.

The petitioner seeks bail in Athmalgola P.S. Case No.

185 of 2019, registered for the offence punishable under

Sections 302, 307, 323, 341, 342, 143 of the Indian Penal Code.

As per prosecution case, this petitioner along with co-

accused Suraj Kumar pressed the neck of Golu Ram, as a result

of which he died

It is submitted on behalf of the petitioner that

petitioner has falsely been implicated in this case due to old

enmity. There is no eye-witness of the occurrence. As per

postmortem report, there is no injury on neck of the deceased.



Deceased died due to chest injury and severe haemorrhage and its complications. Charge sheet has already been submitted. Petitioner is in custody since 11.03.2020 having no criminal antecedent, as stated in para 3 of the petition.

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 Sub-Divisional Judicial Magistrate, Barh, Patna in connection with Athmalgola P.S. Case No. 185 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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