

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28471 of 2020**

Arising Out of PS. Case No.-274 Year-2018 Thana- MADANPUR District- Aurangabad

Birendra Singh Bhokta @ Bidhayak, Son of Chanarik Singh Bhogta, Resident of Village - Nimidih (Chhalidohar) P.S.- Madanpur, District - Aurangabad (Bihar).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate
For the Opposite Party/s : Mr. Dashrath Mehta, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 14-12-2020 Heard learned counsel for the parties through Video Conferencing.

Petitioner seeks bail in a case registered for the offence punishable under Sections 364 and 302/34 of the Indian Penal Code, 27 of the Arms Act and 17 of C.L.A. Act.

As per the prosecution case, three miscreants took away the husband of the informant from his house and thereafter, it is alleged that informant's husband was shot dead.

It is submitted on behalf of the petitioner that though



petitioner is named in F.I.R., but no specific allegation has been attributed against him. It is further submitted that similarly situated co-accused, Pramod Singh Bhokta, has already been granted bail by this Hon'ble Court vide order dated 26.08.2019 passed in Cr. Misc. No. 26677 of 2019. Petitioner is in custody since 02.01.2020 and has got clean antecedent as stated in paragraph no.3 of the petition.

However, learned A.P.P. for State has vehemently opposed the prayer for bail.

Considering the aforesaid facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Aurangabad in Madanpur Police Station Case No. 274 of 2018, on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the



witnesses, in that case the prosecution will be at liberty to move
for cancellation of bail.

(Prabhat Kumar Singh, J)

Ankit/-

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