

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33665 of 2020

Arising Out of PS. Case No.-477 Year-2018 Thana- AMARPUR District- Banka

Nand Kishor Das, aged 21 Years (Male), Son of Late Mauli Das, resident of Village Chhoti Jankipur, Police Station Amarpur, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ajay Mukherjee, Advocate.

For the Opposite Party : Mr. Mithilesh Kumar Khare, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 16-12-2020 Due to COVID-19 Pandemic, the matter is being taken up by way of virtual Court proceeding.

The matter has been listed under the heading ‘For Orders’ under the orders of Hon’ble the Chief Justice.

Learned counsel for the petitioner is directed to remove the defects, as pointed out by the office, within a period of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case for the offence registered under Sections 341, 342, 323, 324, 307, 385, 504, 506/34 of the I.P.C. and 27 of the Arms Act.

The prosecution story, in brief, is that on 08.09.2018 co-accused Lakho Das and Kailash Das having *Gun* and *Musket*



in their hands and Kailash Das having *Rod* in his hand assaulted with the barrel of *Gun* to the son of the informant. On protest, Badal Das, son of Kailash Das, Nand Kishore Das (petitioner) and Mithilesh Das and 3-4 unknown having *Katta* and *Musket* in their hands ran and started abusing and assaulting the family members of the informant. Lakho Das demanded ransom Rs. 2,50,000/- and by saying that, fired upon the informant which hit on the hand of the informant and Kailash Das assaulted with Iron rod on the hand of the informant.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 28.03.2019. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. General and omnibus allegation has been made against the petitioner. No specific overt act is alleged against the petitioner. Specific allegation is against co-accused Lakho Das and Kailash Das. Nature of injury is said to be simple. Other co-accused has been granted bail by then Co-ordinate Bench of this Court vide Cr. Misc. No. 18730 of 2019 under order dated 01.04.2019, annexed as Annexure-3 to the present application.

On behalf of the learned counsel for the State, it has



been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of the learned C.J.M. Banka, in connection with Amarpur P.S. Case No. 477/2018.

(Sudhir Singh, J)

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