

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69197 of 2019

Arising Out of PS. Case No.-275 Year-2019 Thana- MANER District- Patna

Golu Kumar Son of Bharat Rai Resident of Village - Sherpur Dost Nagar,
Balwant Tola, P.S.- Maner, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 73680 of 2019

Arising Out of PS. Case No.-275 Year-2019 Thana- MANER District- Patna

Gajadhar Kumar Son of Lalu Rai @ Lalu Ray Resident of Village- Lodipur,
P.S.- Maner, District- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 69197 of 2019)

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Bal Mukund Prasad Sinha

(In CRIMINAL MISCELLANEOUS No. 73680 of 2019)

For the Petitioner/s : Mr. Sanjay Kumar Singh

For the Opposite Party/s : Mr. Akbar Ali

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

4 18-06-2020 The matter has been taken up through virtual court proceeding.

Heard learned counsel for the petitioners and the State.

The petitioners, Golu Kumar vide Cr.Misc.No.69197 of 2019 and Gajadhar Kumar vide Cr.Misc.No.73680 of 2019 are languishing in custody since 16.09.2019 have preferred



the present application for grant of bail in a case registered for the offences punishable under Sections 341, 323, 307, 379, 504 and 34 of the IPC.

The prosecution case as per the written report of Arvind Kumar submitted to the SHO Bihta police station is to the effect that the informant, being a tractor driver was coming from a brick-kiln while carrying Rs.50,000/- when, on the way, four miscreants Golu Kumar (petitioner), co-accused Niraj Kumar, Gajadhar Kumar (petitioner) and co-accused Pintu Kumar assaulted the informant and snatched Rs.50,000/- and a gold chain.

It is submitted by learned counsel for the petitioners that the injury has been found superficial simple in nature. The accusation is omnibus and general against four accused persons including the petitioners. Investigation has already been concluded. Statement has been made in paragraph-3 of the petition that the petitioners is accused in one other case.

Learned counsel for the State submits that the petitioners are named in the FIR with specific accusation

Considering the fact that the investigation has already been concluded, there is no likelihood of trial being concluded as the courts are not functional in physical mode due to



pandemic of COVID-19, and from the case diary, moreover it appears that chargesheet has been submitted without obtaining injury report, let the petitioners above named be released on bail for the present provisionally for a period of three months on furnishing one surety to the satisfaction of the learned J.M. Ist Class, Danapur (Patna) in connection with Maner P.S.Case No.275 of 2019.

However, in view of present pandemic COVID-19, it will be open for the learned Court below to accept the bail bond on furnishing an undertaking by the surety, on photo copy of their Aadhar Card to the effect that they are ready to become the bailor of the petitioners which may be transmitted by such surety to the learned Court concerned through e-mode.

The provisional bail of the petitioners will be confirmed by the learned Court below within three months on furnishing bail bond of Rs.10,000/- (ten thousand) each with two sureties including one surety given at the time of provisional bail of the like amount each to the satisfaction of learned Judicial Magistrate, Ist Class, Danapur (Patna) in connection with Maner P.S.Case No.275 of 2019.

The learned Court below will be at liberty to extend the further period of provisional bail further if the court



proceeding in physical mode will not resume in next three months.

B.Kr./-

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(Dinesh Kumar Singh, J)

