

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34 of 2020

Arising Out of PS. Case No.-24 Year-2015 Thana- MATIHANI District- Begusarai

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AMAN ANAND @ LALLU, Son of Sunil Singh @ Sunil Kumar, Resident of
Village - Chak, P.S. - Matihani, District - Begusarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
		Mr. Lakshmi Kant Sharma, Advocate
For the Informant	:	Mr. Bimal Kumar, Advocate
For the Opposite Party/s	:	Mr. Murli Dhar, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 07-10-2020 The matter has been taken up through virtual Court proceeding.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 147, 148, 149, 302 of the Indian Penal Code and Section 27 of the Arms Act.

Earlier prayer for bail was refused to the petitioner on 21.06.2019 in Cr. Misc. No. 12199 of 2019 as allegation was that the petitioner was also one of the persons who had fired at the deceased.

Learned counsel for the petitioner submits that the petitioner is in custody since 30.08.2018 and the report of the learned Trial Judge would reveal that the case is still pending for



appearance of some other co-accused and unless appearance of the other accused are procured, there is no chance of progress of the trial in near future. He further submits that no other eyewitness has supported the allegation, hence, it would be matter of trial whether the sole eyewitness is reliable or not.

Learned counsel for the informant submits that the petitioner has got criminal antecedent which has been disclosed in para 3 of the bail petition.

Considering the aforesaid facts especially the period already undergone by the petitioner who is in jail since last more than two years, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Matihani Police Station Case No. 24 of 2015, subject to the following conditions:-

(a) The petitioner shall remain present in the learned court below on each and every date till framing of the charge and if the court below would face a situation when due to non-appearance of the petitioner, the trial would not take progress, the court below shall be at liberty to cancel the bail bond of the petitioner.



(b) The petitioner shall fully cooperate with the trial of the case, failing which the learned court below shall be at liberty to cancel the bail bond of the petitioner.

(c) Both the bailors shall be residents of the territorial jurisdiction of the learned court below.

(d) The petitioner shall not leave the country without permission of the learned trial court.

(Birendra Kumar, J)

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