

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22040 of 2021

Arising Out of PS. Case No.-102 Year-2020 Thana- SILAO District- Nalanda

PRAMOD KUMAR SON OF PRASADI MAHTO R/O VILLAGE-
NANAND, P.S.- SILAO, DISTRICT- NALANDA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manohar Prasad Singh

For the Opposite Party/s : Mr.Tapsehwar Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-07-2021 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 Silao P.S. Case No. 102 of

2020, registered for the offence punishable under Sections

302/34 of the Indian Penal Code.

As per the prosecution case, on 22.05.2020 at about

6.00 pm, while informant's mother was sitting at her door, in the

meantime, FIR named accused persons including this petitioner

having armed came and started indiscriminate firing and co-

accused Raushan Kumar assaulted informant's mother with iron

rod causing head injury and during course of treatment she died.

It is submitted on behalf of the petitioner that there is



general and omnibus allegation of firing and assault against all the accused persons including this petitioner. Specific allegation of assault is against co-accused Raushan Kumar. From para 35 of the case diary which is postmortem report it appears that the Doctor who held the autopsy on the person of deceased, has found only one forehead injury caused by hard and blunt substance. Petitioner is in custody since 04.12.2020 having clean antecedent. Investigation is complete.

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 Chief Judicial Magistrate, Nalanda at Biharsharif in connection with Silao P.S. Case No. 102 of 2020, 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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