

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19384 of 2020

Arising Out of PS. Case No.-45 Year-2018 Thana- BEUR District- Patna

RAHUL KUMAR @ SAUNTI @ KANKATWA, S/O Vinod Kumar Malakar,
Resident of Village Hilsa Bazar Mali Tola, P.s. Hilsa, District Nalanda. At
Present House of Satish Jee, Near Mahuli halt Police Station - Parsa Bazar,
District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Ban Bihari Singh, Advocate

For the Opposite Party/s : Mr. Damodar Prasad Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

6 17-02-2021 Heard Mr. Pramod Ban Bihari Singh, learned
Counsel for the petitioner and Mr. Damodar Prasad Tiwary,
learned Additional Public Prosecutor for the State.

This application, for grant of regular bail, arises out
of S. Tr. No.349 of 2019, arising out of Beur Police Station Case
No. 45 of 2018, disclosing offences under Sections 326, 307,
120(B)/34 of the Indian Penal Code.

The allegation, as per the First Information Report
is that while the informant was returning back to home on his
motorcycle and when reached near Mitramandal Colony Phase
No.2, two unknown persons overtook the informant by
motorcycle and one of them fired upon the informant with
intention to kill him due to which, he sustained fire arm injury



on his right shoulder.

Learned counsel for the petitioner submits that the petitioner has not committed any offence in the manner alleged and he has falsely been implicated in this case on the basis of confessional statement of co-accused, Rahul Kumar @ Rohit Kumar, who have been granted bail vide order dated 11.12.2018 passed in Cr. Misc. No.66618 of 2018.

On the other hand, learned counsel for the State referring to the case diary submits that petitioner has got criminal antecedent and he is operating a gang of contract killer and so many cases are pending against him also.

This Court vide its order dated 18.01.2021 had called for a Report from the learned Court below regarding the status of the trial and in pursuance thereof, Succ. Addl. Sessions Judge-IV, Patna submitted the report and from perusal of the same, it appears that charges have not yet been framed and altogether six chargesheet witnesses are to be examined.

Having regard to the submissions made by the parties and taking into consideration the materials on record and the fact that co-accused, Rahul Kumar @ Rohit Kumar, has been granted bail by a Coordinate Bench of this Court and the petitioner is in custody since 02.10.2018, I am inclined to grant



regular bail to the petitioner **after framing of charge**.

Accordingly, let the petitioner, Rahul Kumar @ Saunti @ Kankatwa, be released on bail **after framing of charge** on furnishing bail bond of Rs. 20,000/- (twenty thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge IVth, Patna in connection with S. Tr. No.349 of 2019, arising out of Beur Police Station Case No. 45 of 2018.

This is subject to the condition that the petitioner shall present himself before the Court, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Anil Kumar Sinha, J)

sanjeev/-

U		T	
---	--	---	--

