

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24745 of 2021**

Arising Out of PS. Case No.-353 Year-2019 Thana- BASANTPUR District- Siwan

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Laxman Prasad @ Lakshman Sah Son of Late Raghunath Prasad Resident of
Village - Mathiya (Nawka Bazar Tola), P.S. - Basantpur, District - Siwan.
... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh

For the Opposite Party/s : Mr. Gauri Shankar Gupta A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2. 20-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Basantpur P.S. Case No. 353 of 2019, registered for the offence under Sections 302, 120(B)/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, 17 named accused persons including this petitioner are alleged to be involved in the murder of son of the informant.

It is submitted on behalf of petitioner that there is no eye-witness to the occurrence and petitioner has been made accused only on suspicion. Similarly situated two accused persons have already been granted bail by a coordinate Bench of this Court, vide order dated 15.04.2021 passed in Cr.Misc. No. 5432 of 2021. Petitioner has got clean antecedent, as per



statement made in paragraph – 3 of the bail petition, and is in custody since 16.01.2021.

Learned A.P.P. for the State has opposed the bail petition.

Considering the aforesaid facts and circumstances, the bail petition of petitioner is allowed. Let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Siwan in connection with Basantpur P.S. Case No. 353 of 2019, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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