

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25184 of 2021

Arising Out of PS. Case No.-211 Year-2020 Thana- DULHIN BAZAR District- Patna

Chandan Kumar Son Of Brinda Sharma @ Binda Sharma R/O Village-
Mohammadpur, P.S.- Paliganj, District- Patna. ... Petitioner

Versus

The State Of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Patanjali Rishi, Advocate

For the Opposite Party : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 27-07-2021 Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under section 302, 120B/34 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, four unknown accused persons committed murder of the brother of the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. Petitioner is not named in the FIR and his name has figured during course of investigation. There is no eye witness of the occurrence except the co-villager Vijendra Kumar with whom the victim went on morning walk and he has not taken the name of the petitioner as it was dark and foggy weather at the relevant time due to which he was not able to recognize anybody. There is no substantive evidence to suggest the implication of this petitioner in the present case. Petitioner claims clean antecedent and he is in custody since 25.11.2020. Investigation is complete.



Learned counsel appearing for the State opposes the prayer for bail.

Considering the rival submissions of the parties, materials available on the record, let the petitioner, mentioned above, 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 Judicial Magistrate 1st class, Danapur, Patna in Dulhin Bazar Police Station Case No. 211 of 2020 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her 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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