

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25829 of 2021

Arising Out of PS. Case No.-270 Year-2020 Thana- HARNAUT District- Nalanda

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LALA BIND @ LALA BELDAR @ LAL JAMIDAR Son of Late Yadu Bind
@ Yadu Beldar Resident of Village - Soradih, P.S.- Harnaut (Telmar), Distt.-
Nalanda.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Sharma
For the Opposite Party/s : Mr. APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-11-2021 Let the defect(s), as pointed out by the Office, be

removed within four weeks of start of normal functioning of the

physical Court.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner seeks regular bail in connection with

Harnaut (Telmar) P.S. Case No.270 of 2020 registered for the

offence under Sections 302, 307 and 120(B)/34 IPC and Section

27 of the Arms Act.

As per prosecution case, while the brother of the

informant and co-accused Sunny Kumar went to the market,

the accused persons surrounded them and also shot fire which

hit brother of the informant, who died.



Learned counsel for the petitioner submits that the petitioner has committed no offence and he has falsely been implicated in this case on the basis of suspicion. He further submits that the name of the petitioner has transpired on the basis of confessional statement of co-accused Hari Bind. He further submits that he has no concern with the said co-accused Hari Bind. He further submits that during course of investigation, it transpired that the location of the mobile of mother-in-law of Munna Nat, which was used by co-accused Munna Nat, was found near the place of occurrence. He further submits that similarly situated co-accused Hari Bind and Bahadur Singh have already been granted regular bail by a Co-ordinate Bench of this Court in Cr.Misc.No.9968 of 2021 dated 29.07.2021, co-accused Laldev Bind has been granted regular bail by a Co-ordinate Bench of this Court passed in Cr.Misc. No. 14239 of 2021 dated 01.09.2021 and co-accused Firoj Nut @ Firoj Nat has also been granted regular bail by a Co-ordinate Bench of this Court passed in Cr.Misc. No.12617 of 2021 dated 02.07.2021. Petitioner is in custody since 29.08.2020.

However, learned APP for the State vehemently opposed the prayer for regular bail.

In the facts and circumstances of the case, the above



named petitioner is directed to 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 Additional Sessions Judge-III/Successor Court, Nalanda at Biharsharif in connection with S.T. No. 51 of 2021 (arising out of Harnaut (Telmar) P.S. Case no. 270 of 2020 with following conditions:-

(i) 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.

(ii) 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.

(iii) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(iv) And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his



criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

brajesh kumar/-

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