

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26506 of 2021

Arising Out of PS. Case No.-209 Year-2020 Thana- BANIAPUR District- Saran

Lalu Kumar Giri @ Lalu Kr. Giri S/O Mahamaya Giri R/o village- Puchhari,
Giri Tola, P.S.- Baniyapur, District- Saran at Chapra

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ram Binod Singh

For the Opposite Party/s : Smt. Sahin Begam A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 30-07-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Baniyapur P.S. Case No. 209 of 2020, registered for the offence under Section 394 & 302 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, three unknown criminals shot at the husband of the informant.

Petitioner is not named in the FIR. Name of the petitioner has come on the basis of confessional statement of co-accused Shambhu Ram. There is no eye-witness to the occurrence and no incriminating article has been recovered from the conscious possession of the petitioner. Save and except confessional statement, there is no substantive evidence against this petitioner to show his complicity in the aforesaid crime.



Petitioner is in custody since 04.10.2020. Chargesheet has been submitted.

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., Saran at Chapra in connection with Baniyapur P.S. Case No. 209 of 2020, 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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