

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34778 of 2021

Arising Out of PS. Case No.-80 Year-2020 Thana- KARAI PARSURAI District- Nalanda

Arun Kumar @ Makku Son Of Mr. Balvir Gope R/O Village- Sanha Bigha,
P.S.- Karaiparsurai, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashank Shekhar

For the Opposite Party/s : Mr.Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-10-2021 Heard both parties.

The petitioner seeks bail in Karaiparsurai P.S. Case No. 80 of 2020 corresponding to Sessions Trial No. 65 of 2021, registered for the offence punishable under Sections 302, 307 and other allied sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, petitioner is alleged to have fired upon the brother of informant causing his death. All the accused persons also assaulted the deceased with knife.

It is submitted on behalf of the petitioner that there is case and counter case. Counter case bearing Karaiparsurai PS Case No. 79 of 2020 in which this petitioner is informant. Moreover, informant is not eye-witness of the occurrence. Both parties are agnates and there is land dispute between the parties. Petitioner is alleged to have fired upon the deceased, but from



perusal of the postmortem report, it appears that cause of death is head injury due to hard and blunt substance and multiple sharp cutting wound. Petitioner is in custody since 17.07.2020. Investigation is complete.

Considering the facts and circumstances of the case, the petitioner above-named, is directed to 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 the learned Additional District and Sessions Judge IV, Hilsa, Nalanda in connection with Karaiparsurai P.S. Case No. 80 of 2020 corresponding to Sessions Trial No. 65 of 2021, subject to following conditions:-

(i) The 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 in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

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

(Prabhat Kumar Singh, J)

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