

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33305 of 2021

Arising Out of PS. Case No.-169 Year-2017 Thana- BUDDHACOLONY District- Patna

Bunty Kumar Son Of Pramod Kumar @ Pramod Ram Resident Of Rusulpur,
Balupar, Police Station - Mehandiganj, District - Patna.

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhauri Kamal Kishore Sahay, Advocate

For the Opposite Party/s : Mr.Mukesh Kumar Singh, Addl Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-10-2021 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 sections 302, 120B/34 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, while the informant was at home along with his wife Laxmi Devi and mother, 3-4 miscreants knocked the door and on opening the door, he found four persons, who had covered their faces, fired on the informant but his wife Laxmi Devi came forward and received gun shot on the head and died. It is also alleged that few months back, his elder brother was also killed by the petitioner and others.



Learned counsel for the petitioner submits that the petitioner has been made accused only on the basis of suspicion because of previous enmity with the informant side. He further submits that no one has seen the face of the accused persons as they had covered their face. Petitioner claims clean antecedent and he is in custody since 24.2.2021. Similarly situated co-accused persons have already been allowed bail by different co-ordinate benches of this Court vide paragraph 10 of the bail petition. Charge sheet has already been submitted.

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

Considering the facts and circumstances of the case, 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 Additional Chief Judicial Magistrate II, Patna in Budha Colony Police Station Case No. 169 of 2017 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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