

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33318 of 2021**

Arising Out of PS. Case No.-419 Year-2020 Thana- RAJGIR District- Nalanda

TUNTUN KUMAR S/o Govardhan Rajbanshi Resident of Village/Mohalla-
Panchu Bhulan Bigha, P.S.- Hisua, District- Nalanda.

... .. Petitioner

Versus

The State of Bihar

... Opposite Party

Appearance :

For the Petitioner/s : Mr.Krishna Deo Raj, Advocate

For the Opposite Party/s : Mr.A.G

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 02-09-2021 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 302/34 of the Indian Penal Code.

As per the prosecution case, informant's brother had gone with the petitioner to collect dues money and thereafter his dead body was found beside the road. Informant suspects that the petitioner has killed his brother by sharp cutting weapon.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case on the basis of suspicion. Informant is not the eye witness of the occurrence. There is no substantive evidence to suggest the implication of this petitioner in the present case. Petitioner has claimed clean antecedent and he is in custody since 5.1.2021. Charge sheet has already been submitted.

Learned counsel appearing for the State opposes the



prayer for bail.

Considering the rival submissions of the parties and the 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 Chief Judicial Magistrate, Nalanda Bihar Sharif in Rajgir Police Station Case No. 419 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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