

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34945 of 2021

Arising Out of PS. Case No.-6 Year-2020 Thana- AKILPUR District- Saran

=====

Laxman Kumar Son of Shirchan Rai Resident of Village - New Goshain Tola,
Sultanpur, P.S.- Danapur, Dist.- Patna.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Ashutosh Kumar Singh

For the Opposite Party/s : Mr.Akshay Lal Pandit

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 21-09-2021 This matter is taken up for consideration through

Video Conferencing.

Heard both parties.

The petitioner seeks bail in Akilpur P.S. Case No. 6 of
2020, registered for the offence punishable under Sections 147,
148, 149, 379 and 302 of the Indian Penal Code.

As per the prosecution case, on 15.01.2020 at 5.20
am, son of the informant was going to Kashim Chak for taking
milk, on the way, all the FIR named accused persons including
this petitioner started snatching Rs. 10,000/- from his possession
and threatened him to kill if cash is not given to them. Further
alleged that co-accused Chunnu Kumar indiscriminately
assaulted on the head of son of informant with iron rod and
other accused also assaulted him,
as a result of which informant's son died on the



spot.

It is submitted on behalf of the petitioner that from bare perusal of the FIR it is apparent that informant is not eyewitness of the occurrence and only on suspicion this petitioner has been made accused in this case. There is general and omnibus allegation. Specific allegation of assault is against co-accused Chunnu Kumar. As per the postmortem report, only one injury has been found on the person of deceased, though, in the FIR all the accused persons are alleged to have assaulted the son of informant. Petitioner is in custody since 25.01.2020 and has got clean antecedent. Chargesheet has already been submitted.

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 Chief Judicial Magistrate XI, Saran at Chapra in connection with Akilpur P.S. Case No. 6 of 2020, 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)

vinita/-

U		T	
---	--	---	--

