

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36609 of 2021

Arising Out of PS. Case No.-170 Year-2020 Thana- BHAGWANPUR District- Begusarai

Murari Kumar Son of Rajesh Kumar Singh Resident of Village - Hasanpur,
P.S.- Hasanpur, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha

For the Opposite Party/s : Mr. Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 16-09-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Bhagwanpur P.S. Case No. 170 of 2020, registered for the offence under Sections 302, 201, 379, 34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 06.08.2020 at 10:00 PM, while the son of the informant was at his *Dera* in connection with business of fisheries, he was shot dead and a sum of Rs. Three lacs, including a mobile phone, was robbed by the miscreant(s).

Petitioner is not named in the FIR. Petitioner has been made accused on the basis of a secret information of spy, which has got no evidentiary value. There is no eye-witness to the occurrence. Similarly situated co-accused Bhawesh Kumar has already been granted bail, vide order dated 14.07.2021 passed in



Cr.Misc. No. 20446 of 2021. Petitioner is in custody since 08.10.2020.

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., Begusarai in connection with Bhagwanpur P.S. Case No. 170 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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