

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27636 of 2020

Arising Out of PS. Case No.-485 Year-2019 Thana- KHAJEKALA District- Patna

HIRA PRASAD S/o Late Rajendra Prasad Resident of Mohalla-Machharhatta
Gali, Police Station-Khajekalan, District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Kumar Mouar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 25-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 08.11.2019 in connection with Khajekalan P.S. Case No. 485/2019 registered for the offences punishable under Sections 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, informant got an information that someone has killed his son on which he rushed to the N.M.C.H., Patna where he came to know from the people gathered there that his son has been killed by this petitioner.

It is submitted on behalf of the petitioner that the informant is not an eye-witness of the occurrence and has been made accused on suspicion. It is further submitted that the petitioner has been falsely implicated in this case due to dirty mohalla politics. It is next submitted that save and except



the confessional statement of this petitioner before the police, there is no other evidence against this petitioner. Chargesheet has already been submitted in this case and the petitioner is in custody since 08.11.2019.

Considering the aforesaid facts and circumstances, the bail petition of the petitioner is allowed. Let the petitioner above named be released on bail, on furnishing bail bonds of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount to the satisfaction of learned SDJM, Patna City, Patna, in connection with Khajekalan P.S. Case No. 485/2019. , subject to 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 on his absence on two consecutive dates without sufficient reason, his bail-bonds shall be cancelled by the Court below.

(2) If the petitioner tempers 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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