

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38387 of 2021

Arising Out of PS. Case No.-188 Year-2019 Thana- BARURAJ District- Muzaffarpur

PRANJAL KUMAR Son of Ramadhar Singh Resident of Village - Partap Patti, P.S. - Sahebganj, District - Muzaffarpur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha , Advocate
For the Opposite Party/s : Mr. Iftekhar Mahmood, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 04-08-2021 Heard Mr. Nachiketa Jha, learned counsel for the petitioner and Mr. Iftekhar Mahmood, learned counsel appearing for the State through video conferencing.

Petitioner seeks regular bail in connection with Baruraj P.S. Case No. 188 of 2019 registered for the offence under Sections 302, 307, 120(B), 34 of the I.P.C., Section 27 of the Arms Act and charge sheet has been submitted under Sections 302, 307, 120(B) of the I.P.C. and Section 27 of the Arms Act.

As per the prosecution story three persons riding on a motorcycle intercepted the informant and his brother and one of them having pistol in his hand fired at his brother due to which the brother of the informant sustained bullet injury in the right side of his rib and succumbed to injuries subsequently.

Learned counsel for the petitioner submits that this is second attempt for bail on behalf of the petitioner inasmuch as the bail application of the petitioner was earlier rejected by this



Court vide order dated 09.12.2020 passed in Cr. Misc. No. 24350 of 2020 with liberty to the petitioner to renew the prayer for regular bail after six months if the trial does not record any progress. Learned counsel further submits that petitioner is not named in the F.I.R. and his name has transpired on the basis of the confessional statement made by the co-accused / Subodh Singh, petitioner has not been put on T.I. Parade and further similarly situated co-accused person namely, Manoj Kumar has been granted bail by this Court in Cr. Misc. No. 23389 of 2020. Learned counsel next submits that petitioner is in custody since 01.02.2020 and charge sheet has already been submitted and only cognizance of the offences has been taken by the learned court below and the trial has not progressed further.

Having regard to the submissions made by learned counsel for the parties and taking into consideration the materials available on record, the fact that petitioner is in custody since 01.02.2020, similarly situated co-accused person has been granted bail by a Co-ordinate Bench of this Court, due to COVID 19 Pandemic the trial has not recorded any progress and this is second attempt for bail on behalf of the petitioner, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be



released on regular bail on furnishing bail bond of Rs. 10,000/-
(ten thousand) with two sureties of the like amount each to the
satisfaction of Sri Mahendra Mishra, learned J.M. 1st Class,
(West), Muzaffarpur in connection with Baruraj P.S. Case No.
188 of 2019.

It is made clear that at the time of furnishing bail bond
all the parties shall follow the guidelines regarding social
distancing.

(Anil Kumar Sinha, J)

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