

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39217 of 2021

Arising Out of PS. Case No.-129 Year-2020 Thana- BIHAR District- Nalanda

1. Nitish Kumar @ Nitish Yadav Son of Bhajan Gope @ Rambhajan Yadav Resident of Village- Sathopur, P.S.- Deepnagar, District- Nalanda.
2. Dhanpat Paswan Son of Late Dayanand @ Late Dayanand Paswan Resident of Village- Sathopur, P.S.- Deepnagar, District- Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar

For the Opposite Party/s : Mr.Sanjay Kumar Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2. 01-10-2021 Heard learned counsel for the parties through video conferencing.

The petitioners seek bail in Bihar P.S. Case No. 129 of 2020 (S. Tr. No. 236 of 2021), registered for the offence under Sections 341 / 342 / 323 / 307 / 326 / 302 / 34 of the Indian Penal Code and Section 27 of the Arms Act.

Allegation is that the accused persons, during a cricket match, have assaulted the victim leading to his death.

It is submitted on behalf of petitioners that petitioners are not named in the FIR. Name of the petitioners has come during course of investigation in the confessional statement of co-accused namely Manish Kumar @ Manish Pandey and Sonu Kumar, who have already been granted bail by this Court, vide order dated 25.02.2021 passed in Cr.Misc. No. 37287 of 2020 and order dated 05.03.2021 passed in Cr.Misc. No. 35745 of



2020 respectively (Annexure 2 series). Petitioners are in custody since 23.11.2020. Investigation is complete.

Considering the aforesaid facts and circumstances, the bail petition of petitioners is allowed. Let the above named petitioners be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned 3rd Additional District and Sessions Judge, Nalanda at Bihar Sharif in connection with Bihar P.S. Case No. 129 of 2020 (S. Tr. No. 236 of 2021), on the following conditions:

“(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail-bond shall be cancelled by the court below.

(2) If the petitioners tamper 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.)

anay

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

