

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39348 of 2021

Arising Out of PS. Case No.-58 Year-2017 Thana- ISLAMPUR District- Nalanda

Shiv Kumar Nat Son of Kapil Nat Resident of Village - Khatolna Bigha, P.S.-
Islampur, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Singh

For the Opposite Party/s : Mr.Suresh Pd. Singh, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 04-10-2021 Heard both parties.

The petitioner seeks bail in Islampur P.S. Case No. 58 of 2017, registered for the offence punishable under Sections 328, 302, 34 of the Indian Penal Code.

As per the prosecution case, 03 children were alleged to have been administered poison, as a result of which they died.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case merely on suspicion. There is no substantive evidence to suggest the implication of the petitioner in the alleged occurrence. There is no eye-witness of the occurrence. Similarly situated co-accused have been granted bail by co-ordinate Bench of this court vide order dated 11.09.2019 passed in Cr. Misc. No. 56853 of 2019. Petitioner is having clean antecedent and he is in custody since



28.02.2021.

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, Hilsa, Nalanda in connection with Islampur P.S. Case No. 58 of 2017, 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)

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