

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29509 of 2020

Arising Out of PS. Case No.-134 Year-2020 Thana- MOHANIYA District- Kaimur (Bhabua)

BRIJESHWAR @ BRIJESH KUMAR @ GULLU KUMAR S/o Shiv Murat
Singh, Resident of Village - Bhaluhi, P.S.-Mohania, District-Kaimur
(Bhabhua).

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Prem Ranjan Kumar, Advocate.

For the Opposite Party/s : Mr. Shyam Kumar Singh, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 22-02-2021 Heard the parties.

The petitioner is languishing in custody for the offence punishable under Sections 341, 323, 325, 504, 307, 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

During the occurrence of assault, co-accused Anil @ Mintu caused fire arm injury to Satendra Singh, as a result whereof Satendra died. This petitioner caused fire arm injury to Vinod Singh at his both hands.

Learned counsel for the petitioner submits that petitioner has got no criminal antecedent and he is in custody since 10.05.2020. Investigation of the case is already complete.

Learned counsel for the informant contends that



besides serious allegation of commission of fire arm injury, the petitioner has got criminal antecedent.

Considering the period already undergone by the petitioner and completion of investigation as well as no material to substantiate that the petitioner is going to tamper with the evidence, there is no need for further detention of the petitioner as under trial prisoner. Hence, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20000/- (Twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Court-below where the case is pending in connection with Mohania P.S. Case No. 134 of 2020, with following conditions:

(a) Both the bailors shall be the resident of territorial jurisdiction of the learned Court-below.

(b) The petitioner shall fully cooperate with the trial of the case, failing which the court below shall be at liberty to cancel the bail bond of the petitioner.

(c) The petitioner shall not leave the country without permission of the trial Court.

If the court below would be brought with sufficient material including copy of the F.I.R. disclosing the fact that the petitioner has got criminal antecedent and has deliberately



suppressed the same before this Court in this application that
would a ground for cancellation of bail by the court below itself.

(Birendra Kumar, J)

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