

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30828 of 2020

Arising Out of PS. Case No.-182 Year-2019 Thana- KURTHA District- Jehanabad

GAUTAM KUMAR @ GAUTAM DAS Son of Jitendra Das Resident of
Village - Nadaura, P.S.- Kurtha, Dist.- Arwal.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nitya Nand Neeraj, Adv

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 27-01-2021 Heard the parties.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302/120(B)/34 of the I.P.C.

According to FIR, the son of the informant had gone
alongwith three persons named in the FIR to attend the call of
nature. The son of the informant made alarm that someone had
pierced dagger then his three friends ran towards him and found
that three persons of village-Nadaura were fleeing, one was
Prince @ Chhotu and other could not be identified. The
petitioner and co-accused-Sarhul Kumar are those persons, who
are not named in the FIR but were named by the witnesses of
the FIR before the police.

Learned counsel for the petitioner submits that
petitioner is in custody since 17.12.2019. The Doctor has found
single blow of dagger on the person of the deceased. Co-



accused-Sarhul Kumar has already been allowed bail by this Court. In fact there was no reason to suppress the name of the petitioner or co-accused- Sarhul Kumar in the FIR, if they are identified by the friends of the injured.

Learned counsel for the informant opposed the prayer for bail.

Considering the aforesaid doubtful circumstance, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Kurtha Police Station Case No.182 of 2019 with following conditions:

(a) Both the bailors shall be 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.

(Birendra Kumar, J)

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