

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41590 of 2021

Arising Out of PS. Case No.-68 Year-2017 Thana- PARASBIGHA District- Jehanabad

SHAMBHU BIND @ SHAMBHU KUMAR Son of Krishna Bind Resident
of Village - Kamalbigha, P.S.- Koch, District - Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Adv.
For the Opposite Party/s : Mr. T.P. Mandal, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 18-08-2021 Heard Mr. Ajay Mukherjee, learned counsel for the

petitioner and Mr. T.P. Mandal, learned Additional Public

Prosecutor for the State through video conferencing.

Petitioner renews his prayer for bail in connection
with Parasbigha PS Case No. 68/2017 registered for the offence
punishable under Sections 302, 120(B) of the IPC and 27 of the
Arms Act inasmuch as earlier bail application of the petitioner
was rejected *vide* order dated 06.11.2020 passed in Cr. Misc No.
23576/2020 (Annexure-1) with liberty to renew his prayer for
bail after six months.

The allegation, as per prosecution case, is that the
informant was threatened on 28.05.2017 by one Ramesh Bind
while he was doing earth filling on his land for construction of
his house and on the date of occurrence, the informant saw



Ramesh Bind along with petitioner and others fleeing away after making fire. When the informant reached near the bridge, he found Nirbal Bind and Sintu Bind in injured condition and they were taken to the hospital where the doctor declared them dead.

Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case merely on the basis of the fact that the petitioner happens to be the son-in-law of Ramesh Bind and there was dispute between Ramesh Bind and the informant. Learned counsel next submits that the allegation made in the FIR is not supported by the postmortem examination inasmuch as the postmortem report discloses that Nirbal Bind died due to throttling and Sintu Bind died due to strangulation. Learned counsel also submits that petitioner is in custody since 10.01.2020 and the trial is not likely to be concluded in near future due to pandemic of COVID-19.

Regard being had to the submissions made by the parties and taking into consideration the material on record and the fact that petitioner is in custody since 10.01.2020, there is no specific allegation against the petitioner, trial is not likely to be concluded in near future due to pandemic of COVID-19 and this is the second attempt of bail on behalf of petitioner, I am inclined to grant regular bail to the petitioner.



Accordingly, let the petitioner, SHAMBHU BIND @ SHAMBHU KUMAR 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 Chief Judicial Magistrate, Jehanabad/the court concerned in connection with Parasbigha PS Case No. 68/2017.

Covid protocol like social/physical distancing and sporting masks are expected to be followed strictly by the parties while furnishing bail bonds.

(Anil Kumar Sinha, J)

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