

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30850 of 2020

Arising Out of PS. Case No.-120 Year-2019 Thana- CHIKSAUR District- Nalanda

PINTU KUMAR Son of Ravindra Yadav @ Jhabar Gope Resident of Village
- Kamarthu, P.S. - Chiksaura, District - Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. Anil Kumar Singh, Advocate
For the Opposite Party/s	:	Mr. Shyam Kumar Singh, APP
For the Informant	:	Mr. Shashi Chandra Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 22-01-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is languishing in custody for the offences punishable under Section 302/34 of the Indian Penal Code and Section 27 of the Arms Act.

According to FIR, 10-12 persons entered into the outer house (Dalan) of the informant. Three persons including the petitioner fired at the father of the informant as a result whereof father of the informant died.

Learned counsel for the petitioner submits that investigation of the case is already complete and petitioner is in custody since 11.12.2019. The post mortem report would show that the informant is in fact no eyewitness of the occurrence



because the doctor found only one fire-arm injury that was in the nature of wound of entry and wound of exit connecting each other which was cause of death. The doctor has found two other incised wounds also caused by sharp cutting weapon which is not the case of the informant that any incised wound was caused to the deceased.

Learned counsel for the informant submits that the occurrence took place in the night of December. Hence, several eyewitnesses are not possible to watch the occurrence. Very serious allegation is there against the petitioner. Hence, the petitioner does not deserve bail.

Considering the fact that prosecution evidence is not corroborated by medical evidence, 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 the learned Court-below where the case is pending in connection with Chiksaura P.S. Case No.120 of 2019, 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.

(Birendra Kumar, J)

Mkr./-

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