

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34208 of 2020

Arising Out of PS. Case No.-20 Year-2020 Thana- MADHUBAN District- East Champaran

LAKHAN KUMAR, Son of Ram Pratap Mahto, Resident of Village -
Jogaulia Tola Kaswa Gulab Khan, P.S.- Madhuban, District - East
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Advocate.

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

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

3 22-02-2021 Heard the parties.

The petitioner is languishing in custody for the
offence punishable under Sections 307 and 120B/34 of the
Indian Penal Code.

According to F.I.R., the son of the informant left the
house along with others, however he did not return. Later on
informant got information that someone has slit the throat of the
son of the informant. The injured was taken to the hospital for
treatment. Suspicion is that for land dispute, Shambhu Prasad
and others might have committed the crime alleged.

In the statement of the injured recorded under Section
161 Cr.P.C., it is stated that co-accused Ajit and this petitioner as
well as Bittu Prasad and Arun Kumar are in collusion and no
Yadav of village Mahanwa has committed the crime.



Considering the fact that there is no specific attribution against the petitioner in the statement of the injured before the police, the doctor has found single sharp cut injury, petitioner is in custody since 17.02.2020, petitioner has got no criminal antecedent as well as considering the completion of investigation and no material to substantiate that the petitioner is going to tamper with the evidence, 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 Madhuban P.S. Case No. 20 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.

(Birendra Kumar, J)

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