

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 40021 of 2020

Arising Out of PS. Case No.-383 Year-2020 Thana- BIHTA District- Patna

AMARNATH PRASAD @ AMARNATH PAL S/o Late Dev Nandan Bhagat
R/o Village- Dumri. P.S.- Bihta, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

For the Opposite Party/s : Mr. Satendra Singh Yadav, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 21-06-2021 Heard learned counsel for the petitioner, informant
and learned APP for the State through virtual court proceedings.

The petitioners seek bail in a case registered for the
offence punishable under Sections 302, 120B, 34 of the Indian
Penal Code and Section 27 of the Arms Act.

Allegation against the petitioner is that he tried to fire
on the informant but failed. Thereafter, son of the petitioner
fired on the brother of the informant, consequently, he died on
the spot.

Learned counsel for the petitioner submits that
petitioner is innocent and has been falsely implicated in this
case due to previous enmity. He submits that the petitioner is
only order-giver. He further submits that petitioner is
languishing in judicial custody since 18.06.2020.

In the facts and circumstances of the case, let the



petitioner, above named, be released on bail **after framing of charge** on furnishing bail bond of Rs.20,000/- (rupees twenty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-I, Danapur in connection with Bihta P.S. Case No. 383 of 2020, subject to the conditions:

(1) that one of the bailors will be a close relative of the petitioners, who will give an affidavit giving genealogy as to who he is related with the petitioners. He will also undertake to inform the court if there is any change in the address of the petitioners.

(II) that the petitioners will be well represented on each and every date fixed in the case and if they fail to do so on two consecutive dates their bail bonds shall be liable to be cancelled.

(III) that the petitioners will mark their attendance in the local police station in the first week of every month till conclusion of trial, failing which the prosecution will be at liberty to move cancellation of their bail bond.

(Anjani Kumar Sharan, J)

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