

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1962 of 2021

Arising Out of PS. Case No.-37 Year-2020 Thana- ALIPUR District- Gaya

Arvind Kumar aged about 28 years (M) Son Of Late Ramji Manjhi Resident
Of Village - Makhdumpur, P.S. - Alipur, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Paras Nath

For the Opposite Party/s : Mr.A.L.Pandit

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 20-05-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Alipur P.S. Case No. 37 of 2020 registered for the offence under Sections 302/120(B) of the Indian Penal Code and Section 27 of the Arms Act.

As per the prosecution case, on 07.06.2020, the father of the informant was on duty at Quarantine Centre in Sarvodaya High School and during course of his duty, he got a call on his mobile and thereafter, he went out from the centre, but did not return. It is suspected by informant that some unknown persons have killed his father.

Petitioner is not named in the F.I.R. The name of petitioner has come during course of investigation on the confessional statement of co-accused. It is further submitted that



last call on the mobile of deceased was from mobile no. 7739864806 and after receiving the call, the deceased went out of the centre and thereafter, shot dead. However, during course of investigation, it has come that said mobile number was issued by Pawan Pay Phone in the name of one Subal Kumar and the same has been handed over to one Satish Kumar and Sunil Kumar. There is no eye-witness to the occurrence and merely on suspicion and confessional statement of co-accused, petitioner has been dragged in this case. Petitioner is in custody since 12.06.2020. Chargesheet has been submitted.

Considering the aforesaid facts and circumstances as well as nature of allegation and the fact that there is no eye-witness to the alleged occurrence, the bail application of petitioner is allowed. Let the petitioner, above named, be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Chief Judicial Magistrate 2nd, Gaya in connection with Alipur P.S. Case No. 37 of 2020 with further conditions:

“(i) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present, as directed by the court, and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled



by the court below

(ii) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.”

(Prabhat Kumar Singh, J.)

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