

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7040 of 2021

Arising Out of PS. Case No.-232 Year-2020 Thana- SAHEBPUR KAMAL District-
Begusarai

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SACHIN KUMAR @ CHHOTU KUMAR SON OF YOGENDRA YADAV
R/o village- Baburahi, P.S.- Sahebpur Kalam, District- Begusarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

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

For the Opposite Party/s : Mr. Ram Sewak Choudhary, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

(The proceedings of the Court are being conducted through Video
Conferencing and the Advocates joined the proceedings through Video
Conferencing from their residence.)

2 26-04-2021 The defect(s) as pointed out by the Office be removed by

the learned counsel for the petitioner within two months after

the High Court resumes its normal functioning.

Heard learned counsel for the parties.

Petitioner seeks bail in a case registered for the offences
punishable under Sections 307, 326/34 of the Indian Penal Code
and Section 27 of the Arms Act.

As per the prosecution case, on the instigation of
petitioner, co-accused Tilak Kumar fired upon the informant
which hit on the back of the informant.



It has been submitted on behalf of the petitioner that petitioner is not assailant rather petitioner is said to be order giver. No incriminating article has been recovered from possession of the petitioner. Petitioner has been falsely implicated in this case due to dirty village politics. Charge sheet has already been submitted in this case. Informant sustained simple injury said to be caused by firearm. Petitioner carries one criminal antecedent and is in custody since 21.07.2020.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 20,000/- with two sureties of the like amount each to the satisfaction of learned court below where the case is pending, in connection with S. Kamal (Sahebpur Kamal) P.S. Case No. 232 of 2020, with following conditions:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate 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 his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(3) If the petitioner tampers with the evidence or the



witnesses of the case, in that case, prosecution will be at liberty
to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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