

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9960 of 2021

Arising Out of PS. Case No.-271 Year-2019 Thana- KISHANGANJ District- Kishanganj

Kamil @ Md Kamil Hussain, Aged About 20 Years Son Of Md. Munna @
Munna Resident Of Village- Mohiuddinpur Ward No. 1, P.S.- Kishanganj,
District- Kishanganj ... Petitioner

Versus

The State of Bihar ... Opposite Party

Appearance :

For the Petitioner : Mr.Avnish Kumar, Advocate
For the Opposite Party : Mr.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 07-06-2021 This matter is taken up for consideration through Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of regular bail in a case registered for the offence punishable under sections 341, 323, 307/34 of the Indian Penal Code.

Earlier prayer for bail of the petitioner was refused by this Court vide order dated 24.1.2020, passed in Cr.Misc.No. 66946 of 2019. From perusal of the report of the court below dated 12.4.2021, out of nine prosecution witnesses, only one witness has been examined on 22.3.2021 and the record of



Sessions Trial No. 185 of 2019 is presently posted for adducing prosecution evidence.

Learned counsel for the petitioner submits that the petitioner and 3 to 4 accused persons are alleged to have assaulted informant's son with knife, screw driver, pilas, bricks etc., though the informant is not the eye witness and petitioner has got clean antecedent and he is in custody since 6.6.2019.

State counsel opposes the prayer for bail.

Considering the clean antecedent of the petitioner, his period of custody and the progress in the trial, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge III, Kishanganj in Sessions Trial No. 185 of 2019 on the following conditions:-

(1) 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 on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) 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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