

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16266 of 2022

Arising Out of PS. Case No.-35 Year-2020 Thana- PIPRIYA District- Lakhisarai

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PREM KUMAR @ KUNDAN KUMAR PREM @ KUNDAN Son of
Permishwari Singh @ Prameshwari Singh R/o village - Ramchandrapur, P.S.
- Pipariya, District - Lakhisarai.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Krishna Kant Singh, Advocate

For the Opposite Party/s : Ms. Anita Kumari, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 31-08-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for grant of regular bail in a case registered under section 302 and other sections of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the four accused persons including this petitioner and Gopal Kumar are said to have fired indiscriminately resulting in death of the son of the informant.

It is submitted by learned counsel for the petitioner that the earlier application for bail of the petitioner was rejected vide order dated 28.6.2021 (Annexure-1). In spite of the petitioner being in custody since 6.6.2020, there is no chance of



the trial concluding in the near future. It is further submitted that the case of the petitioner stands on a similar footing to that of co-accused Gopal Kumar who has been enlarged on bail vide order dated 25.10.2021 passed in Cr. Misc. no. 5851 of 2021. The petitioner undertakes to cooperate in the trial.

Heard learned APP for the State.

A report was called for from the learned trial Court from which it transpires that three out of six prosecution witnesses have been examined.

Having heard learned counsel for the parties and taking into consideration the facts of the case, the petitioner having remained in custody since 6.6.2020 and his case standing on a similar footing to that of co-accused Gopal Kumar who has been enlarged on bail, the petitioner is directed to be enlarged on bail in connection with Sessions Trial no. 8 of 2021 (arising out of Pipariya P.S. Case no. 35 of 2020) on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge III, Lakhisarai subject to following conditions:

(I) One of the bailors of the petitioner shall be his mother, and,



(II) The petitioner shall remain physically present in court on each date of the trial and shall cooperate in the trial.

(Partha Sarthy, J)

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