

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18826 of 2022

Arising Out of PS. Case No.-75 Year-2020 Thana- BARHAT District- Jamui

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TINKU PANDEY Son of Shanker Pandey Resident of Village - Guguldih,
Police Station - Barahat, District - Jamui.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 29-06-2022 Heard learned counsel for the parties.

The petitioner has renewed his prayer for bail in a case registered under section 307 of the Indian Penal Code and section 27 of the Arms Act.

As per the prosecution case, the petitioner is said to have fired from his pistol hitting the father of the informant in his chest.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The parties are agates and large number of cases lodged by both the sides are pending against each other. The petitioner has been falsely implicated in the case due to land dispute. He is in custody since 11.6.2020 and even charge has not been framed



in the learned trial Court. The petitioner undertakes to cooperate in the trial and to abide by the conditions which may be laid by this Court.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant.

It is submitted by learned counsel for the informant that there is direct allegation against the petitioner of having fired from his pistol hitting the father of the informant in his chest which is substantiated from the injury report.

A report was called for from the learned trial Court. As per the report received contained in letter dated 6.5.2022 of the Judicial Magistrate 1st Class, Jamui, the case has been committed to the Court of Sessions.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the petitioner having remained in custody for 2 years, the Court directs the petitioner to be enlarged on bail in connection with Barhat P.S. Case no. 75 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 Judicial Magistrate 1st Class, Jamui.

It is directed that the petitioner shall cooperate in the trial in the learned trial Court and shall remain physically



present in Court on each date of the trial. In case, the petitioner remains absent on any single date for reasons not to the satisfaction of the learned trial Court or the learned trial Court is of the opinion that the trial is being delayed due to noncooperation on part of the petitioner, the learned trial Court may cancel the bail bond of the petitioner and take him into custody till conclusion of the trial.

(Partha Sarthy, J)

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