

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43497 of 2021

Arising Out of PS. Case No.-272 Year-2020 Thana- RANIYATALAB District- Patna

BIRU KUMAR S/o Late Sanjay Singh R/o Village Arap, P.S. Bikram, District
- Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Patanjali Rishi
For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

2 01-02-2022 Heard the parties through video conferencing.

Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

Let the defect(s) be removed within two weeks of
the complete start of the physical Court in normal course.

The petitioner, who is in custody since 25.03.2021,
seeks regular bail in connection with Rani Talab P.S. Case No.
272 of 2020, for the offence punishable under Sections 456, 504
and 307/34 of the Indian Penal Code and Section 27 of the Arms
Act.

The prosecution case, in brief, is that on
16.12.2020, when the informant was at his house, three persons
came there and asked about his son namely Manoj and started
abusing and also threatened to kill his son. On protest, one
person namely Anand Singh fired upon the informant which



injured his leg. It is further alleged that two other persons namely, Dibyanshu Kumar and Manish Kumar had come to his house in search of his son.

Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in this case. He further submits that the name of the petitioner surfaced in this case on the basis of confessional statement of one co-accused Dibyanshu in police custody, which has no evidentiary value in the eye of law. He further submits that nothing has been recovered from the conscious possession of the petitioner. He further submits that other co-accused has already been enlarged on bail vide order dated 25.01.2022 passed in Criminal Miscellaneous No. 42669 of 2021.

Learned A.P.P. for the State has opposed the prayer for grant of bail to the petitioner. He further submits that petitioner is a habitual offender as such he does not deserve to be released on bail.

Considering the above mentioned facts and circumstances of the case, the petitioner, above named, be enlarged on bail on furnishing bail bond of Rs. 25,000/- (Rs. Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. Chief Judicial



Magistrate-II, Danapur, Patna in connection with Rani Talab
P.S. Case No. 272 of 2020, subject to the 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.

(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.

(4) If the petitioner is found involved in similar nature
of offence, after his release on bail, the trial Court shall take
steps to cancel his bail bonds.

(Purnendu Singh, J)

manish/-

U		T	
---	--	---	--

