

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34059 of 2022

Arising Out of PS. Case No.-65 Year-2021 Thana- BUNIYAD GANJ District- Gaya

Sintu Kumar Son Of Sunder Tanti @ Sunder Prasad, Resident Of Village -
Bajinath Sahay Lane, Mianpur, P.S.- Buniyadganj, District - Gaya

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Narsingh Tanti, Advocate

For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 05-12-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Buniadganj P.S. Case No. 65 of 2021 lodged under Sections
147, 148, 149, 341, 323, 386, 303 and 379 of the I.P.C. read
with Section 27 of the Arms Act.

As per prosecution case, the informant has narrated
that some unknown persons have demanded ransom amount
Rs.10,000/- from the informant and his family. On 19.04.2021
informant received information that his brother was murdered.
He immediately reached there then saw that his brother has been
injured by fire arm. It has been informed to the informant by his

cousin that there was a hot discussion took place between accused Sintu (petitioner) with the informant's brother, after some time Sintu returned alongwith 15-20 persons. The name of 9 persons were disclosed and as per the instruction of Sintu, one Durga Mahto has fired on the head of the informant's brother and other accused persons have snatched silver chain. Allegation against Pintu is that he has taken money from the pocket of the informant's brother and they all fled away. When the informant reached hospital with his injured brother, the doctor informed that he has already died.

Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. He further submits that the allegation of firing is upon Durga Mahto and not upon the petitioner. He further submits that the antecedent of the petitioner is clean, he is in custody since 11.07.2021 and charge sheet has already been filed in this case. Learned counsel also submits that other named co-accused persons have already been granted bail by the Co-ordinate Bench of this Court vide Annexure-2 series.

Learned counsel for the State opposes the prayer for bail.

On specific query that whether charge has been

framed in this or not, counsel submits that charge has already been framed.

In the present facts and circumstances of this case and the submissions made above, I am not inclined to grant bail to the petitioner, therefore, his bail application is hereby rejected but liberty is hereby granted to the petitioner that he may renew his prayer for bail after 4 months of framing of charge and Trial Court is directed to release the petitioner on bail imposing its own conditions, so that he may not evade his appearance during trial.

(Dr. Anshuman, J.)

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