

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52573 of 2021

Arising Out of PS. Case No.-157 Year-2020 Thana- NADI P.S. District- Patna

Munna Kumar @ Munna Son Of Umesh Mahto Resident Of Village-
Sabalpur, P.S- Nadi Dist- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shyamal Prakash, Advocate

For the Opposite Party/s : Mr. Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 10-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 341, 324, 326, 307, 34 of the Indian Penal Code and later on Section 302 of the Indian Penal Code was added and Section 27 of the Arms Act.

The son of the informant is said to have been inflicted gun shot injury by the unknown biker.

Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. He further submits that in fact the petitioner is not



named in the F.I.R. and his name has been transpired on the basis of his self confessional statement which was recorded in another case vide Nadi P.S. Case No. 181 of 2020. He further submits that till date no test identification parade was conducted by the prosecution and similarly situated co-accused person namely Udit Kumar has been granted bail by this Court vide order dated 22.03.2022 in Cr. Misc. No. 44599 of 2021 and another co-accused namely Chintu Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 06.04.2022 in Cr. Misc. No. 45636 of 2021. He further submits that the police after investigation submitted chargesheet in this case against the petitioner and the petitioner is in custody since 23.12.2020.

Learned APP for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court below where the case is pending in connection with Nadi P.S. Case No. 157 of 2020, with 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 absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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