

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48252 of 2022**

Arising Out of PS. Case No.-69 Year-2021 Thana- MAHARAJGANJ District- Siwan

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BALENDRA KUMAR SON OF UMESH YADAV R/O VILLAGE- BARKA
TEGHARA, P.S.- MAHRAJGANJ, DISTRICT- SIWAN

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Anil Chandra

For the Opposite Party/s : Mr.Narsingh Tanti

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 09-12-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned A.P.P for the State through video-conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 341, 323, 324, 307 and 326 read with 34 of the Indian Penal Code.

As per the prosecution case, the petitioner called the informant and took him near the river where the co-accused persons were already present. There the petitioner stabbed the informant in his stomach and the co-accused Nagendra Kumar stabbed him twice on his back. The co-accused persons Anil



Kumar and Amit Kumar took out Rs. 3500/- cash and a gold chain worth Rs. 6000/- from the possession of the informant and assuming the informant dead, they fled away.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.05.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is specific allegation of knife blow against the petitioner. The knife blow is on vital part of the body and the injury is grievous in nature.

Considering the aforesaid facts and circumstances of the case as well the period of detention, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Siwan in connection with Maharajganj P.S. Case No. 69 of 2021, with a condition:-

1. The petitioner is directed to remain physically



present before the learned Court below on each and every date,
failing which on two consecutive dates without reasonable
cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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