

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20027 of 2020**

Arising Out of PS. Case No.-254 Year-2019 Thana- LAKHISARAI District- Lakhisarai

SUDHIR SAW Son of Late Rajo Saw Resident of Village-Near Hasanpur
High School, Ward No.28, P.S.-Kabaiya, District-Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pravin Kumar, Adv.
For the Opposite Party/s : Mr. Ram Naresh Roy, APP

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 24-07-2020 The proceedings of the Court are being conducted through Video Conferencing and the Advocates joined the proceedings through Video Conferencing from their residence.

Heard learned counsel for the petitioner, learned counsel for the informant and learned counsel for the State.

Petitioner seeks regular bail in connection with **Lakhisarai (Kabaiya) P.S. Case No. 254 of 2019** registered for the offence punishable under sections 307, 385, 387/34 of the Indian Penal Code and Section 27 of Arms Act.

Earlier the bail of the petitioner was rejected vide order dated 30.09.2019 passed in Criminal Miscellaneous No. 45654 of 2019.



Informant who is brother of injured has stated in his fardbeyan that his injured brother told him that Sudhir Saw and Govind Kumar, fired upon him as demand of ransom was not fulfilled by him.

It has been submitted on behalf of the petitioner that petitioner is innocent and has been falsely implicated in this case due to animosity and political rivalry. It has been further submitted that similarly placed accused Robin Kumar @ Govin Kumar has been granted bail by a co-ordinate bench of this Court vide order dated 08.07.2020 passed in Cr. Misc. No. 21772 of 2020. Petitioner is in custody since 23.03.2019.

Learned counsel for the State and learned counsel for the informant have vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail on furnishing bail bond of Rs. 20,000/- with two sureties of the like amount in connection with **Lakhisarai (Kabaiya) P.S. Case No. 254 of 2019** to the satisfaction of learned court below where the case is pending, subject to 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 his absence on two consecutive dates without proper and valid reason, the trial court shall have liberty to cancel his bail bonds.

(2) 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.

(3) 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.

(S. Kumar, J)

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