

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27108 of 2020

Arising Out of PS. Case No.-87 Year-2019 Thana- TANKUPPA District- Gaya

RAJAN @ PYARE @ RAJAN KUMAR Son of Kanhai Saw Resident of
Godawari Bhairo Asthan, P.S.- Rampur, District - Gaya.

... .. Petitioner.

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ansul, Advocate.

For the Opposite Party/s : Mr. Upendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 27-11-2020 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual Court proceedings.

Since the physical court proceeding is non-functional,
due to present pandemic, COVID-19, the matter is listed with
defects.

Learned counsel for the petitioner undertakes to remove
the defects within three weeks of resumption of physical court
proceeding. In the eventuality of non-removal of defects within
undertaken period, the office will place the matter before the
Bench.

The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 302 &
201/34 of the Indian Penal Code.

Petitioner is said to have killed the son of the



informant in association of other FIR named accused though he is not named in the FIR.

It is submitted by learned counsel for the petitioner that no such occurrence as alleged ever took place. He has been falsely implicated in this case merely on suspicion only. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. It is further submitted that the petitioner's name has surfaced in this case on the basis of confessional statement of co-accused which has no evidentiary value in the eye of law. He has no criminal antecedent. Similarly situated co-accused, namely, Md. Pravez @ Suhail Parvez @ Sahin Parvez has been enlarged on bail by a co-ordinate bench of this court vide order dated 24.06.2020 passed in Cr. Misc. No. 6517 of 2020.

Having regard to the facts and circumstances of the case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Tankuppa P.S. Case No. 87 of 2019, subject to the condition as



laid down under Section 438 (2) of the Cr.P.C., and further subject to the condition that

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the Court concerned.

(2) Petitioner shall cooperate 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 learned Court below.

(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.

(Anjani Kumar Sharan, J)

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