

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)  
CRIMINAL MISCELLANEOUS No.12851 of 2021**

Arising Out of PS. Case No.-50 Year-2020 Thana- IMADPUR District- Bhojpur

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ASHOK KUMAR, Son of Bhim Yadav, Resident of Village - West English,  
P.S.- Imadpur, Distt.- Bhojpur at Ara.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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**Appearance :**

For the Petitioner/s : Mr. Rajendra Singh, Advocate

Ms. Malti Kumari, Advocate

For the Opposite Party/s : Mr. Braj Kishore Prasad, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD**  
ORAL ORDER

4      02-09-2021                      Learned counsel for the petitioner undertakes to  
  
remove all the defects as pointed out by office within four  
  
weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr. Braj  
Kishore Prasad, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in  
connection with Imadpur P.S. Case No. 50 of 2020 (G.R. No.  
3300 of 2020) registered for the offence punishable under  
Section 302/34 of the Indian Penal Code.

As per the prosecution story, the son of the informant  
was working as a labourer, he had gone with co-accused Abhay  
Kumar Singh who is a co-villager but thereafter his son did not  
return and no answer was received on the mobile phone. On the

next day, the dead body of the son of the informant was found hanging with a tree thereafter the villagers came and found that the son of the informant had been hanging in dead condition.

Learned counsel for the petitioner submits that this petitioner is not named in the First Information Report, there is no eye witness to the alleged occurrence and no material has come against him save and except that his name has transpired in the confessional statement of the co-accused Pappu and Pankaj. The petitioner is in jail since 30.07.2020 and has otherwise no criminal antecedent.

Mr. Braj Kishore Prasad, learned A.P.P. for the State has though opposed the prayer for regular bail of the petitioner but at the same time the submission of learned counsel for the petitioner is not controverted.

In this case the co-accused Abhay Kumar Singh has been granted bail by a learned coordinate Bench of this Court in Cr. Misc. No. 11830 of 2021 vide order dated 23.08.2021.

Considering the facts and circumstances of the case, the petitioner is not named in the F.I.R. and no other material has been pointed out to this Court, the F.I.R. named co-accused has been granted bail by a coordinate Bench of this Court, this Court directs release of the petitioner above named on bail on

furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Ms. Puja Kumari Shah, Judicial Magistrate First Class, Bhojpur, Ara in connection with Imadpur P.S. Case No. 50 of 2020 (G.R. No. 3300 of 2020), subject to the condition as laid down under Section 437 (3) Cr.P.C.

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 antecedent, 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.

**(Rajeev Ranjan Prasad, J)**

vats/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.