

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24627 of 2021

Arising Out of PS. Case No.-469 Year-2020 Thana- ALAMGANJ District- Patna

SANJAY KUMAR Son of Late Shyam Babu Sah Resident of Village -
Chailital, Near Kamala School, P.S.- Alamganj, Distt.- Patna.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Bikramdeo Singh, Advocate
For the State	:	Ms. Pushpa Sinha-1, APP
For the Informant	:	Mr. Avinash, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 23-11-2021 Heard learned counsel for the petitioner, learned
counsel for the informant and learned Additional Public
Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Alamganj P.S.
Case No. 469 of 2020 registered for the offences punishable
under Sections 302, 307/34 of the I.P.C.

According to prosecution case, for land dispute a
quarrel took place between co-accused Shivam Kumar and
Pramod Kumar. It is further alleged that Shivam Kumar and
petitioner gave knife blow to Pramod Kumar. For rescue, wife



of Pramod Kumar came but she was stabbed by the accused persons, who died in course of her treatment.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Petitioner is named in the FIR. Petitioner is agnate of the deceased. There is land dispute between the parties. Only on the basis of suspicion and conspiracy, name of the petitioner has been dragged in the present case. Learned counsel further submits that charge sheet has already been submitted against the petitioner. Petitioner is in custody since 16.08.2020.

Learned counsel for the informant and learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 20,000/- (Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate, Patna City, Patna in connection with Alamganj P.S. Case No. 469 of 2020, 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 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 witnesses, 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 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.

(Rajesh Kumar Verma, J)

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