

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26126 of 2021

Arising Out of PS. Case No.-136 Year-2019 Thana- BALIGAON District- Vaishali

AKASH KUMAR S/O LATE BIRENDRA SINGH R/o village- Agraul, P.S.-
Baligaon, District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anuj Kumar

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 06-08-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 302/34 of the Indian Penal
Code.

As per the prosecution case, on recovery of a dead
body FIR was lodged against unknown. During the course of
investigation name of the petitioner transpired in the case on the
basis of suspicion that this petitioner, who is brother of the wife
of the deceased, had earlier threatened the deceased.

Learned counsel for the petitioner submits that
petitioner has falsely been implicated in the case. There is no
eye witness to the occurrence and no one has seen the petitioner
committing the murder of the deceased. Except suspicion there
is no material to show complicity of the petitioner in the
aforesaid crime. Petitioner claims clean antecedent and is in



custody since 13.08.2020 and charge sheet has already been submitted.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-I-cum- Special Judge, Vaishali at Hajipur in connection with Baligaon PS case No. 136/ 2019 on 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/ her absence on two consecutive dates without sufficient reason, his/her 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.

(Prabhat Kumar Singh, J)

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