

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28798 of 2021

Arising Out of PS. Case No.-291 Year-2020 Thana- BUXAR MUFFSIL District- Buxar

BANTI KUMAR JAISWAL Son of Ajay Jaiswal Resident of Village- Main
Road Civil Line Buxar, Ward No. 19, P.S.- Buxar (T), District- Buxar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anirudh Mishra

For the Opposite Party/s : Mr. Kalyan Shanker, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 10-08-2021 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 and u/s 3(2)(v) of the SC/ST Act.

As per the prosecution case, the informant got
information that dead body of her son is lying near Hanuman
Nagar. On this information she went there and found the dead
body. The informant suspected that this petitioner along with
Gyan Dubey had committed murder of her son. The reason for
suspicion is that two days prior to the occurrence this petitioner
has threatened the son of informant due transaction of money.

It is submitted that petitioner has been made accused
only on the basis of suspicion and during the course of
investigation no substantive evidence has come to suggest the
complicity of the petitioner in this case. Petitioner claims clean



antecedent and is in custody since 04.11.2020 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, Buxar, in connection with Buxar (M) PS case No. 291/2020 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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