

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34547 of 2021

Arising Out of PS. Case No.-456 Year-2020 Thana- ARA NAWADA District- Bhojpur

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AMAN PASWAN @ AMAN KUMAR @ BITU Son of Ram Kishor Ram @
Ram Kishore Ram Resident of Village - Jawahar Tola, P.S.- Ara Nawada,
Distt.- Bhojpur.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate
For the Opposite Party/s : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 01-12-2021 Heard learned counsel for the petitioner 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 Ara Nawada
P.S. Case No. 456 of 2020 registered for the offences punishable
under Sections 302, 201/34 of the I.P.C.

According to prosecution case, on 10.06.2020 the
elder brother of the informant left the house on being annoyed
from his mother. It is alleged that on 11.06.2020 he was seen by
Rakesh Kumar at Nawada Chowk. It is further alleged that his



brother was again seen by Rakesh Kumar in the company of Appu Dubey at 7:30 P.M. It is further alleged that on 12.06.2020 he got information that his brother was killed at Karman Tola and dead body of his brother was found lying in under-constructed house of Deep Narayan Kumar. The informant went to the place of occurrence and suspects that his brother was killed by Appu Dubey and other accused.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. Learned counsel further submits that petitioner is not named in the FIR. Name of the petitioner has transpired on the basis of confessional statement of co-accused Rakesh Kumar. The said co-accused Rakesh Kumar has been granted bail by a co-ordinate Bench of this court vide order dated 16.03.2021 passed in Cr. Misc. No. 2550 of 2021. Similarly, co-accused Appu Dubey @ Kunal Dubey has been granted bail by a co-ordinate Bench of this court vide order dated 23.06.2021 passed in Cr. Misc. No. 8457 of 2021. Petitioner is in custody since 22.10.2020.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as



well as period of custody, 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 the learned Chief Judicial Magistrate, Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 456 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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