

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34451 of 2021

Arising Out of PS. Case No.-150 Year-2020 Thana- PURNAHYA District- Sheohar

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Rajeev Thakur Son of Late Jaynarayan Thakur Resident of Village - Sasaula
Kalan, Ward No. -14, P.S. - Suppi, District - Sitamarhi.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vikash Kumar Jha
For the Opposite Party/s : Mr.Pushpa Sinha

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 02-12-2021 Let the defects, if any, be removed within four
weeks of the complete start of the Physical Court.

Heard learned counsel for the petitioner as well as
learned Additional Public Prosecutor for the State.

Petitioner seeks bail in a case registered in
connection with Purnahiya P.S.Case No. 150 of 2020 for the
offences punishable under Section 307,302,120b/34 of the
Indian Penal Code and section 27 of the Arms Act.

According to the prosecution case itself, while
campaigning of election rally in village Hathisar, two miscreants
started firing indiscriminately upon informant's younger brother
(deceased)Narayan Singh and local villagers. It appears from
the F.I.R that it was Gauri Shanker Maharaj and Neeraj pathak
who fired on the deceased.



Learned counsel for the petitioner submits that petitioner has one criminal antecedent ie. Sitamarhi SC/ST P.S.Case No. 75 of 2017 and he is not named in the F.I.R and his name was surfaced on the basis of confession. He is in jail custody since 22.01.2021. Learned counsel further submits that on similar footing co-accused Ram Pravesh Rai has been granted bail by a co-ordinate Bench of this Court in Cr. Misc. No. 25728 of 2021.

The learned A.P.P opposed the prayer for bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, and period of detention of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-II, Sheohar in connection with Purnahiya P. S.Case No.150 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.



2. If the petitioner tamper 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 petitioners have concealed their 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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