

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44924 of 2021

Arising Out of PS. Case No.-291 Year-2019 Thana- CHHATAPUR District- Supaul

BHUSHAN DAS Son of Heeralal Das @ Harilal Das Resident of Village-
Chakla, P.S. - Chhatapur, District - Supaul.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Adv.

For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-12-2021 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and the learned A.P.P. for the State.

The petitioner seeks bail in connection with S.Tr. No. 136 of 2020 arising out of Chhatapur P.S. Case No. 291 of 2019 registered for the offence under Sections 302, 201, 120(B) and 34 of the Indian Penal Code.

The informant apprehends that her father-in-law has been killed by the petitioner and others.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is



innocent and has falsely been implicated in this case. The F.I.R. itself reveals that mere on suspicion the petitioner has been implicated in this case. No specific allegation of assault is attributed to the petitioner rather general and omnibus allegation is levelled in the F.I.R. against the petitioner. Moreover, the co-accused, namely, Sanjay Das @ Sanjay Kumar Das, having more or less similar allegation has been granted bail by a co-ordinate Bench of this Court vide order dated 01.02.2021 passed in Cr. Misc. No. 8537 of 2021. The petitioner is rotting in judicial custody since 26.11.2019.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 learned Additional Sessions Judge-V, Supaul in connection with S.Tr. No. 136 of 2020 arising out of Chhatapur P.S. Case No. 291 of 2019 with 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 canceled 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.

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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