

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1281 of 2021**

Arising Out of PS. Case No.-73 Year-2020 Thana- NOWKOTHI GARHPURA District-
Begusarai

=====

Sandeep Kumar @ Sanjeev Kumar, S/o Bhola Sah, R/o village- Parihara, P.S.-
Bakhri, Distt.- Begusarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Randhir Kumar No.1, Adv.
For the Opposite Party/s : Mr.Akhileshwar Dayal, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 12-03-2021 Learned counsel for the petitioner undertakes to
remove all the defects as pointed out by office within four
weeks after start of normal functioning of the Court.

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

Petitioner in the present case is seeking regular bail in
connection with Naokothi P.S. Case No.73/2020 registered for
the offences punishable under Sections 302, 307 and 120(B)/34
of the Indian Penal Code and Section 27 of the Arms Act.

Learned counsel for the petitioner submits that the
petitioner is not named in the F.I.R. though the informant claims
himself an eye witness to the alleged occurrence and has
specifically named 12 persons in the F.I.R. including the



assailants. Learned counsel submits that the co-accused Krishna Kumar @ Kisan and Shatrudhan Kumar @ Dhuldhul Singh have been specifically named as accused who had shot at father and mother respectively of the informant.

Learned counsel submits that it is a case of over-implication of the accused, the petitioner has otherwise no criminal antecedent and he has remained in jail in connection with the present case since 03.06.2020.

Learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that the petitioner is not named in the F.I.R. though the informant claims himself an eye witness to the alleged occurrence and has specifically named 12 persons in the F.I.R. including the assailants and further submission that the co-accused Krishna Kumar @ Kisan and Shatrudhan Kumar @ Dhuldhul Singh have been specifically named as accused who had shot at father and mother respectively of the informant and the learned Sessions Judge has also recorded that the mother of the informant was shot at by another co-accused, the petitioner has otherwise no criminal antecedent and the submission of



learned counsel for the petitioner is that it is a case of over-implication of the accused, the petitioner has remained in jail in connection with the present case since 03.06.2020, investigation against him is complete and it is not the submission of the State that release of the petitioner at this stage is likely to result in tampering with the evidence or interfering with the course of trial, let the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of Sri Rajeev Ranjan, J.M.-1st Class, Begusarai in connection with Naokothi P.S. Case No.73/2020, subject to the condition as laid down under Section 437 (3) Cr.P.C. as under :

(a) that such person shall attend in accordance with the conditions of the bond executed under this Chapter,

(b) that such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which he is suspected, and

(c) that such person shall not directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.



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.

(Rajeev Ranjan Prasad, J)

arvind/-

U		T	
---	--	---	--

Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

