

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3304 of 2022

Arising Out of PS. Case No.-132 Year-2021 Thana- PATNA GRP CASE District- Patna

Sanjeev Kumar @ Shakti Son Of Shivjee Mahto Resident Of Mohalla- Loha
Ka Pul, Mansaram Ka Akhara, Ward No.60, P.S.- Mehdiganj, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binoy Kumar Sinha

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 28-11-2022 Heard Ld. counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in connection with G.R.P.,
Patna (Patna Saheb) P.S. Case No. 132 of 2021, registered
for the offences punishable under Sections 302, 34 of I.P.C
and 27 Arms Act.

The prosecution case as emerging from the FIR is
that the son of the informant was killed by some unknown
persons.

Ld. counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in this
case only on the basis of suspicion. He further submits that



the petitioner is not named in the FIR. He further submits that the only material against the petitioner is some call between the deceased and the petitioner on mobile on the date of occurrence. Besides, that there is only confessional statement of the accused before the police. He further submits that investigation in this case is complete and charge-sheet has already been submitted and even charge has been framed.

The petitioner has been languishing in jail since 16.04.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has never moved before this Court for grant of anticipatory bail or regular bail.

It has further been stated in paragraph no. 3 that the petitioner has been made accused in one more case.

However, the Ld. APP for the State vehemently opposes the prayer of the petitioner for bail submitting that the alleged offence is very serious in nature.

Considering the aforesaid facts and circumstances, the petitioner, above-named, is directed to be released on



bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the Ld. Railway Judicial Magistrate, Patna in connection with G.R.P., Patna (Patna Saheb) P.S. Case No. 132 of 2021, on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not hamper on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner 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.

(iv) In case, it is brought to the notice of the court below that the petitioner has criminal antecedent other than the disclosed one, the learned court below shall cancel the bail bond of the petitioner after hearing him and getting



satisfied that the petitioner has concealed his criminal antecedent despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, the learned court below shall cancel the bail bond of the petitioner.

The application stands allowed accordingly.

Learned counsel for the petitioner is directed to remove all the defects, if any, pointed out by the office within a period of one month and the Registry is directed to issue the certified copy of this order only after removal of office objections.

(Jitendra Kumar, J)

ramesh/-

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

