

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3379 of 2022

Arising Out of PS. Case No.-346 Year-2021 Thana- BYPASS District- Patna

ROHIT KUMAR S/o Dinanath Thakur R/o Ranipur Murlidhar, P.S. -
Mehandiganj, District - Patna.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Patanjali Rishi, Adv.

Mr. Akash Deep, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 20-07-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 363, 365 and 120(B) of the
Indian Penal Code and Section 27 of the Arms Act.

The son of the informant is said to have been
abducted and killed by the petitioner and his associates.

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 merely
on the basis of suspicion. He further submits that the
petitioner has not been named in the F.I.R. but the name of
this petitioner has surfaced in this case on the basis of



statement of mother and sister of the deceased and also on the basis of statement of the co-accused. Apart from that, no one has claimed to be the eye witness of the alleged occurrence. He further submits that save and except the statement of the co-accused, no cogent material has surfaced against the petitioner during course of investigation. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner on 22.11.2021. The petitioner is rotting in judicial custody since 28.08.2021.

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 Court below where the case is pending in connection with Bypass P.S. Case No. 346 of 2021 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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