

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7572 of 2022

Arising Out of PS. Case No.-138 Year-2021 Thana- TRIVENIGANJ District- Supaul

Bhuvneshwar Mehta Son Of Late Chhedi Mehta R/O Village- Mirjava, Ward
No.12, P.S.- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rana Baljit Singh, Adv

For the Opposite Party/s : Mr.Nirmal Kumar Sinha,APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-06-2022 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, learned counsel for the informant and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 326,307,302/34 of IPC and Section 27 of Arms Act.

The FIR of the occurrence of murder is against unknown.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of suspicion. He further submits that it appears from the FIR that the petitioner is



not named in the FIR. The name of the petitioner has been transpired during course of investigation and Pankaj Kumar Mehta, who happens to be son of the deceased has categorically stated in para-27 and 28 of the case diary that he has not expressed the name of the petitioner before the police and the similarly situated co-accused, namely, Ajay Kumar @ Ajay Kumar Mehta has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 26.05.2022 in Cr. Misc. No.7403 of 2022 and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 04.09.2021.

Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 Triveniganj Police Station Case No.138 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 cancelled 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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