

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19718 of 2021**

Arising Out of PS. Case No.-148 Year-2020 Thana- LALGANJ District- Vaishali

NIRANJAY KUMAR S/o Satrudhan Sah Resident of Village - Jahanabad,
P.S. Lalganj, District - Vaishali.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satya Prakash Sinha, Adv.

For the Opposite Party/s : Mr. A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 03-01-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

A supplementary affidavit, carrying out necessary correction in the main application, has been filed on behalf of the petitioner, which forms part of this application.

The petitioner seeks bail in connection with Lalganj P.S. Case No. 148 of 2020 registered for the offence under Sections 302, 201 and 34 of the Indian Penal Code.

The son of the informant is alleged to have been killed by the F.I.R. named accused persons and the dead body of the deceased has been floated.

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. In fact, the petitioner has not been named in the F.I.R. and he has no concern with the alleged occurrence. Neither the petitioner is related to the informant or the deceased in any manner nor the petitioner owns a Tempo on which the dead body of the deceased was carried for cremation. As a matter of fact, the petitioner is a Halwai and mere on suspicion, he has been apprehended in the present case. Moreover, the co-accused, namely, Vikash Sah, who is named in the F.I.R., has already been granted bail by a co-ordinate Bench of this Court vide order dated 24.07.2021 passed in Cr. Misc. No. 16108 of 2021. The petitioner is rotting in judicial custody since 28.11.2020.

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 C.J.M., Vaishali at Hajipur in connection with Lalganj P.S. Case No. 148 of 2020 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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