

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19751 of 2021

Arising Out of PS. Case No.-53 Year-2019 Thana- PAWANA District- Bhojpur

=====

BHADA SINGH @ RAM BADAN SINGH Son of Ramashish Singh
Resident of Village - Mahuli (Tola), P.S.- Pawana, Dist.- Bhojpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta,Adv

For the Opposite Party/s : Mr.Satyendra Prasad, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 07-01-2022 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 and the learned A.P.P. for the State in virtual Court proceeding.

The petitioner seeks bail in connection with Pawana P.S.Case No.53 of 2019 registered for the offence under Section 302/120B/34 of the Indian Penal Code.

As per the prosecution case, the grandson of the informant went out of his house and thereafter, did not return till night. On next day, the dead-body of grandson of the informant was recovered in a river. It is alleged by the informant that there was love affairs between his grandson and one Ruby Kumari(daughter of petitioner Bhada Singh) and as such, all the FIR named accused have committed the murder of his grandson.



Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He further submits that the petitioner has falsely been implicated in the present case. In fact the name of the petitioner has come in this case only on the basis of the suspicion. He further submits that it appears from the FIR itself that the date of occurrence as mentioned in the FIR is 08.09.2019 but the present FIR has been lodged on 11.09.2019. He further submits that co-accused, namely, Sona Devi has already been granted anticipatory bail by a Coordinate Bench of this Court vide order dated 12.07.2021 in Cr. Misc. No.36781 of 2020. He further submits that another co-accused, namely, Manti Devi has been granted bail vide order dated 02.09.2021 in Cr. Misc. No. 33391 of 2021 by the same Hon'ble Bench of this Court. He further submits that the police, after investigation, submitted chargesheet against the petitioner and other co-accused persons. Petitioner is in custody since 13.10.2020.

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 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 Chief Judicial Magistrate, Bhojpur at Ara in connection with Pawana P.S.Case No.53 of 2019 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)

Nitesh/-

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

