

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13749 of 2022

Arising Out of PS. Case No.-85 Year-2017 Thana- KHUSRUPUR District- Patna

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PUTUSH KUMAR SON OF SOLI RAI R/O VILLAGE- KHIRODHARPUR,
P.S.- BAKHTIYAPUR, DISTRICT- PATNA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhola Kumar

For the Opposite Party/s : Mr. Ajit Kumar

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CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 13-07-2022 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner seeks bail in connection with

Khusrupur P.S. Case No. 85 of 2017, registered for the

offences punishable under Sections 302 and 120B of the

I.P.C. and Section 27 of the Arms Act.

As per allegation, the petitioner and his associates

committed murder of informant's husband.

The learned counsel for the petitioner submits that

the petitioner is innocent and has falsely been implicated in

this case. He further submits that the petitioner is not

named in the F.I.R. and his name has been emerged on the



confessional statement of one Uday Gope. It is further stated that two co-accused persons, namely, Brij Raj Kumar and Uday Gop, have already been granted bail by different Benches of this Court vide order dated 31.01.2019 and 14.07.2020 passed in Cr. Misc. No. 71319 of 2018 and Cr. Misc. No. 9479 of 2020 respectively.

The petitioner is in custody since 18.06.2021.

It is also stated in paragraph no. 2 of the petition that the petitioner has moved earlier before this Court for grant of anticipatory bail in Cr. Misc. No. 72700 of 2019, which was rejected vide order dated 05.03.2020.

It has further been stated that the petitioner has no criminal antecedent.

However, the learned APP for the State has opposed the prayer for bail.

Considering the 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 learned Sri Ashutosh Kumar J.M. 1st Class,



Patna City in connection with Khushrupur P.S. Case No. 85 of 2017 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 any criminal antecedent, 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.

The learned counsel for the petitioner is directed to remove all the defects 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)

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