

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14746 of 2022

Arising Out of PS. Case No.-201 Year-2016 Thana- BIKRAMGANJ District- Rohtas

Navratan Giri @ Anish Giri Son Of Shri Shivpujan Giri R/O Village-
Odiadih, P.S.- Ramgarh, District- Kaimur (Bhabua), Bihar (821110)

... .. Petitioner/s

Versus

THE STATE OF BIHAR.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ganga Prasad Bimal, Advocate

For the Opposite Party/s : Mr. Murli Dhar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 31-08-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be
removed within a period of four weeks from today.

Petitioner seeks bail in a case registered for the
offences punishable under Sections 302, 201, 120(B), 34 of the
Indian Penal Code.

According to prosecution case, the informant lodged
the case when her husband did not return. The informant alleged
that her husband has had altercation with his salesman Navratan
due to missing of Rs.2,00,000/- from the cash box and Navratan
was removed from the service of the shop.

Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case only on the basis of suspicion. He



further submits during investigation no cognizance material has come against the petitioner. He further submits that it appears from the case diary in paragraphs no. 14 and 20 that co-accused namely, Sunil Singh, Rupesh Kumar Singh and Samodh Singh @ Karma have assaulted the husband of the informant. He further submits that the police after investigation submitted the charge sheet against the petitioner. He further submits that similarly situated, co-accused, namely, Rupesh Kumar Singh @ Shiva has been granted bail by a co-ordinate Bench of this Court vide order dated 30.08.2017 passed in Cr. Misc. No. 34061 of 2017 and another co-accused namely Sunil Paswan has been granted bail by a co-ordinate Bench of this Court vide order dated 20.06.2017 passed in Cr. Misc. No. 21333 of 2017. The petitioner is in custody since 26.12.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, 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 the learned Court below where the case is pending in connection with Bikramganj P.S. Case No. 201 of 2016, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

3. 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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