

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16726 of 2022

Arising Out of PS. Case No.-198 Year-2020 Thana- KUNDWACHAINPUR District- East
Champanan

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Sardar Jee @ Rajesh Kumar Singh Son of Late Ram Bahadur Singh Resident
of Village- Balapur, Police Station- Ghora Sahan, District- East Champanan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vijay Kr Singh No. 1, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 26-09-2022 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.

Learned counsel for the petitioner informs that
during pendency of the bail petition, the case has been
committed to the Court of Sessions and now the case is pending
before the learned 21st Additional Sessions Judge, East
Champanan, Motihari in Sessions Trial No. 287 of 2022.

Heard learned counsel for the petitioner and learned
APP for the State.

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



Indian Penal Code and Section 27 of the Arms Act.

As per FIR, this petitioner along with two other F.I.R. named accused persons are suspected to have killed the husband of informant due to illicit relation of her husband with wife of Sardarji and Ravi Singh and there was also money dispute between her husband and accused persons due to which the occurrence took place.

Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that in fact the informant is not an eye witness to the alleged occurrence and only on the basis of suspicion the petitioner has been implicated in the present case. He further submits that during investigation no cogent material has come against the petitioner and co-accused person namely Ravi Singh @ Raviranjn Kumar has been granted bail by a Coordinate Bench of this Court vide order dated 17.01.2022 in Cr. Misc. No. 37713 of 2021 and another co-accused person namely Seema Devi has been granted bail by a Coordinate Bench of this Court vide order dated 24.01.2022 in Cr. Misc. No. 37657 of 2021. He further submits that the case has come on similar footing and the police after investigation submitted chargesheet against the petitioner and



the petitioner is in custody since 14.11.2021.

Learned APP 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/- (Rupees 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 Sessions Trial No. 287 of 2022 arising out of Kundwa Chainpur P.S. Case No. 198 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 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 witness, 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 antecedents, 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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