

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18505 of 2022

Arising Out of PS. Case No.-455 Year-2021 Thana- BUXAR MUFFSIL District- Buxar

Sumit Kumar @ Khublal Yadav @ Khublal S/o Ram Chandra Yadav @ Ram-chandra Singh R/o Village- Chinimil, Buxar, P.S.- Buxar (T), District- Buxar.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate.
Mr. Arvind Kumar Pradhan, Advocate.
For the Opposite Party/s: Mr. Akbar Ali, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 03-08-2022 Let the defect, if any, be removed within two weeks from today.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Buxar (M) P.S. Case No. 455 of 2021 lodged under Sections 302/120(B)/34 of the Indian Penal Code read with Section 27 of the Arms Act.

The petitioner is not named in the F.I.R., rather there are in total 5 named accused persons in addition to 3-4 unknown accused persons, against all there is an allegation of killing the son of the informant.

Learned counsel for the petitioner submits that



petitioner is not named in the F.I.R., his name has figured in this case by virtue of confessional statement of co-accused, namely, Vikash Kumar Yadav. He further submits that as per paragraph no.76 of Case Diary, allegation against the petitioner is that he is involved in reki. Learned counsel further submits that petitioner is in custody since 04.01.2022 and never involved in such type of offence, though, there is one case under Excise Act pending against him in which he is on bail.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Buxar in connection with Buxar (M) P.S. Case No. 455 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his



bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond in violation of this condition prosecution shall be at liberty to move for cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J)

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