

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21037 of 2022

Arising Out of PS. Case No.-289 Year-2021 Thana- CHHATAUNI District- East Champaran

Sanjay Pal Son Of Deepak Pal R/O Mohalla- Bangali Colony, Gali No.-05,
P.S.- Chhatauni, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anuj Kumar

For the Opposite Party/s : Mr.Shyameshwar Dayal

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 08-08-2022 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

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

The petitioner has preferred this application for grant of regular bail in a case registered under sections 302, 201, 120B read with 34 of the Indian Penal Code and 27 of the Arms Act.

As per the prosecution case, the petitioner and co-accused persons with 3-4 unknown persons armed with pistol came and abducted the son of the informant under conspiracy and committed murder of the informant's son, Seikh Irshad on



the instigation of the co-accused Naresh Pandey for taking revenge of murder of Aman Kumar. Co-accused Naresh Kumar, Dharanjay Pandey and Ujjwal Kumar threatened to kill the informant's son.

Learned counsel for the petitioner has submitted that the petitioner is innocent has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. The deceased was also accused in Muffasil P.S Case No. 211 of 2019 which was lodged against him and others for committing murder of Aman Kumar. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has clean antecedent as stated at para 3 of the bail petition. The petitioner is in custody since 07.01.2022.

Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that co-accused persons committed murder of the son of the informant under conspiracy and his dead body was thrown at a lonely place.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged 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 of Chief Judicial Magistrate, East Champaran,



Motihari, in connection with Chhatauni P.S. Case No. 289 of 2021, with following condition:-

1. One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

2. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

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