

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31340 of 2021

Arising Out of PS. Case No.-176 Year-2020 Thana- LAUKAHA District- Madhubani

Om Prakash Podar Son of Rajendra Podar Resident of village - Rampur, P.S.-
Laukaha, District - Madhubani.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Kumari Shubham, Advocate

For the Opposite Party/s : Ms. Madhuri Lata, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 08-02-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State in Virtual Court
proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Laukaha P.S.
Case No. 176 of 2020 corresponding to G.R. No. 1097 of 2020
registered for the offences punishable under Sections 302,
120(B) and 34 of the Indian Penal Code.

According to prosecution case, the informant got an
information from Pramod Kumar Yadav that his brother
Virendra Barnait has been killed. Thereafter, he informed the
police and reached at the police of occurrence, where he found



that his brother was bleeding profusely and was shot in head and found him dead. Informant said that his brother has been killed under conspiracy by Om Prakash Podar (petitioner), Dharamdeo Poddar and Ram Narayan Sah with other two unknown persons due to business dispute between the petitioner and the deceased.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. He further submits that on the basis of information given by one Pramod Kumar Yadav the present F.I.R. is instituted against the petitioner and other co-accused persons. He further submits that due to previous business dispute, the name of the petitioner has been implicated in the present. The petitioner is in custody since 27.06.2020.

The learned Additional Public Prosecutor vehemently opposed the prayer for bail on the basis of material available in the case diary.

Considering the aforesaid facts and circumstances as well as period of custody, 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 Additional Chief Judicial Magistrate-



I, Jhanjharpur, District- Madhubani in connection with Laukaha
P.S. Case No. 176 of 2020 corresponding to G.R. No. 1097 of
2020, 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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