

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36027 of 2021

Arising Out of PS. Case No.-167 Year-2020 Thana- AMAS District- Gaya

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AMARJET KUMAR YADAV @ PARAMJEET S/o Ram Swaroop Yadav R/o
village- Kadarapur, P.S.- Kothi, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Bachan Jee Ojha,Adv

For the Opposite Party/s : Mr.Sunil Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 21-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in connection with Amas
P.S.Case No.167 of 2020 registered for the offence under
Sections 394,302,34 of the Indian Penal Code and Section 27 of
Arms Act.

The prosecution case, in short, is that on 13.08.2020
informant Chandan Kumar stated that petitioner of this case and
others have intercepted their vehicle while he and deceased
Pankaj and Chandan Kumar proceeding towards Imamganj and
started making demand of money from them as a result scuffle
took place during course of which they shot dead Pankaj Kumar
and his brother Chandan Kumar and further took away some
money and mobile phone kept in the dickey of the vehicle.



Learned counsel appearing for the petitioner submits that the petitioner is not named in the FIR. He has falsely been implicated in the present case only on the basis of the confessional statement of co-accused and self-confessional statement of the petitioner. He further submits that in the T.I. Parade three co-accused persons have been identified. Petitioner is not identified in the T.I.Parade. He further submits that co-accused persons, identified in the T.I. Parade, have been granted bail, namely, Amarjit Kumar vide order dated 29.07.2021 in Cr. Misc. No.12048 of 2021 and another Kunal Kumar Singh vide order dated 05.07.2021 in Cr. Misc. No.12754 of 2021 by a Coordinate Bench of this Hon'ble Court. He further submits that the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 03.11.2020.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries fourteen more cases other than the present one.

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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gaya in connection with Amas P.S.Case



No.167 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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