

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33642 of 2021

Arising Out of PS. Case No.-27 Year-2020 Thana- GOH District- Aurangabad

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GIRIJA PANDIT @ GIRJA PANDIT S/o Late Sitaram Pandit R/o village-
Dindir, P.S.- Haspura, District- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Ms.Mukul Kumari,Adv

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

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 23-02-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

A supplementary affidavit, carrying out necessary
correction in the main petition, has been filed on behalf of the
petitioner, which is kept on record.

The present case has been taken up for out of turn
hearing on the basis of the motion slip filed by learned counsel
for the petitioner that the mother of the petitioner has died on
18.02.2022.

The petitioner seeks bail in connection with Goh
P.S.Case No.27 of 2020 registered for the offence under
Sections 147,148,149,323,379 & 302 of the Indian Penal Code
and 27 of Arms Act.

The prosecution case, in brief, is that 10-15



miscreants came in the base camp of a bridge under construction and are said to have caught hold the informant and assaulted him. When his brother rushed in his rescue, one of the accused fired upon him and died on the way to the hospital.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of confessional statement of co-accused, namely, Raju Singh @ Rajesh. He further submits that it appears from the FIR that there is general and omnibus allegation against all the accused persons. There is nothing specific against the petitioner. He further submits that co-accused, namely, Raju Singh @ Rajesh has been granted bail vide order dated 22.03.2021 in Cr. Misc. No. 1987 of 2021 and similarly situated other co-accused, namely, Suresh Rajwar @ Suresh Ram has been granted bail vide order dated 28.04.2021 in Cr. Misc. No.40291 of 2020, co-accused, namely, Binda Ram has been granted bail vide order dated 28.06.2021 in Cr. Misc. No.12093 of 2021 and co-accused, namely, Vijay Paswan has been granted bail vide order dated 24.06.2021 in Cr. Misc. No.39825 of 2020 by different Coordinate Benches of this Hon'ble Court and the petitioner is in custody since 22.12.2020.



Learned A.P.P. 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/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Daudnagar, Aurangabad in connection with Goh P.S.Case No.27 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.

(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.

(4) The learned court below shall verify from the concerned police station that whether the mother of the petitioner has died or not.

(Rajesh Kumar Verma, J)

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