

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24487 of 2022

Arising Out of PS. Case No.-936 Year-2021 Thana- SAHARSA SADAR District- Saharsa

Jiyaul Hak @ Sam Son of Md. Saheed Resident of village - Bataraha, Ward
No.- 26, P.S.- Saharsa, District - Saharsa

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Aditya Prakash Sahay, Advocate

For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 03-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case has been registered under sections 302,
201, 120(B)/34 of the Indian Penal Code and Section 27 of the
Arms Act in connection with Saharsa Sadar P.S. Case No. 936
of 2021.

As per the allegation in the FIR, on 5.12.2021, the
named accused, Indal, Ranveer and Suman opened fire causing
immediate death of son of the informant and further the dead
body was brought to the door steps of Bhavesh Paswan by the
accused persons and they tried to implicate the said Bhavesh
Paswan in the killing. Further the villagers informed the



informant about the said killing by the accused persons.
Accordingly, the FIR was lodged.

It is further alleged that this petitioner was one of the conspirator in the said killing as associate of the three accused persons.

Taking into account the fact that specific allegation of killing has been attributed to Indal, Ranveer and Suman and the petitioner has been named as a conspirator, he is in custody since 10.12.2021 (as stated in para-15 of the bail application) and further he claims no criminal antecedent, this Court is inclined to grant him the privilege of bail. However, if it is found that contrary to statement made in bail application he do have criminal antecedent, this bail order shall become infructuous.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Chief Judicial Magistrate, Saharsa, in connection with Saharsa Sadar P.S. Case No. 936 of 2021 subject to the following conditions:

(i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;



(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

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