

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23577 of 2022

Arising Out of PS. Case No.-393 Year-2021 Thana- VAISHALI District- Vaishali

SURENDRA KUMAR S/O LATE BHAGWAN LAL BHADUR R/o village-
Jarang Rampur, P.S.- Vaishali (Belsar O.P.), District- Vaishali

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat, Adv.

For the Opposite Party/s : Mr. Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 19-09-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 147, 148, 149, 341, 323, 324 and
302 of the Indian Penal Code.

The daughter and son- in- law are said to have
been killed by the petitioner and others.

Learned counsel appearing for the petitioner
submits that the petitioner, who is of clean antecedent, is
innocent and has falsely been implicated in this case merely
on the basis of suspicion. He further submits that there is no
eye witness to the alleged occurrence and the informant
herself does not claim to be the eye witness of the alleged



occurrence rather the F.I.R. has been instituted on the basis of suspicion only. He further submits that there general and omnibus allegation against the petitioner and no specific allegation of assault is attributed to him. He further submits that there is land dispute between the parties and on account of that, the petitioner has been made accused in this case. Moreover, the co-accused, namely, Lalti Devi alongn with Sonu Kumar and Hari Narayan Thakur, Chandrawati Devi and also Daya Devi have already been granted bail by a co-ordinate Bench of this Court vide order dated 23.08.2022 passed in Cr. Misc. No. 14739 of 2022 and Cr. Misc. No. 19212 of 2022, respectively. The petitioner is rotting in judicial custody since 16.02.2022.

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, above named, petitioner 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 Court below where the case is pending in connection with Vaishali (Belsar O.P.) P.S. Case No. 393 of 2021 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 canceled 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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