

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25074 of 2022

Arising Out of PS. Case No.-160 Year-2015 Thana- CHHATAPUR District- Supaul

BAUWA ROY @ ANIL ROY SON OF BADRI ROY RESIDENT OF
VILLAGE- RAMNAGAR MAHESH, P.S- SHRINAGAR, DIST-
MADHEPURA

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rama Kant Singh

For the Opposite Party/s : Mr.Choubey Jawahar

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 24-08-2022 Learned counsel for the petitioner is permitted to

remove defect (s), as pointed out by the office, if any, within a

period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner has preferred this application for grant

of regular bail in a case registered u/s 302 read with 34 of the

Indian Penal Code and later on section 394 of IPC is added.

As per the prosecution case, it is alleged that the

informant's brother, Neeraj Kumar was working as Airtel mobile

distributor and he was shot dead by unknown miscreants while

he was returning to home from Jadia.

Learned counsel for the petitioner has submitted that



the petitioner is innocent and he has falsely been implicated in this case on the basis of mere suspicion. Learned counsel for the petitioner has further submitted that the petitioner is not named in the FIR and the name of the petitioner has sprung up in the confessional statement of co-accused, Parmanand Das and Pappu Kumar. The petitioner is also accused in 20 other criminal cases out of which two cases are related to murder and rest case is related to loot and dacoity. The petitioner is on bail in 17 criminal cases except three cases. All the cases except two cases have been filed against the petitioner in the same year of 2015. The petitioner is in custody since 15.02.2016.

Learned A.P.P. for the State has opposed the bail petition of the petitioner by submitting that the petitioner is a history sheeter having twenty criminal cases.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Supaul, in connection with Chhatarpur P.S. Case No. 160 of 2015, with following conditions :-

1. One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to



the petitioner.

2. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled by the concerned Court.

3. If the petitioner is found involved in similar nature of offence in future, the prosecution will have at liberty to move for cancellation of the bail.

4. The petitioner is directed to mark his attendance before the Officer-In-Charge of the concerned police station at 10.00 A.M. on every Monday of the week and in the event of his failure to do so on two consecutive occasions, the present privilege of bail will stand cancelled by the concerned Court.

The application stands allowed.

(Chandra Prakash Singh, J)

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