

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34515 of 2021

Arising Out of PS. Case No.-193 Year-2020 Thana- GORIAKOTHI District- Siwan

Pintu Kumar S/O Parmeshwar Bin R/o Village- Chhitauli Navka Tola, P.S.-
Gorea Kothi, District- Siwan.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijay Prakash Singh
For the Opposite Party/s	:	Mr. Ms. Rita Verma, A.P.P.
For the Informant	:	Mr. Javed Aslam, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 16-02-2022 Heard learned counsel for the petitioner as well as

learned counsel for the Informant and learned Additional Public

Prosecutor for the State in Virtual Court proceeding.

Let the defects, as pointed out by the office, be
removed within four weeks of start of normal functioning of the
physical court.

Petitioner seeks bail in connection with Goreakothi
P.S. Case No. 193 of 2020 registered for the offences punishable
under Sections 363, 365 of the Indian Penal Code later on
Section 302, 120(B), 34 of the Indian Penal Code added.

According to prosecution case, Dhanjeet Kumar, the
son of the informant aged about 10 years had come to Prabhash
Babu Sansthan, but he could not return back, then, the informant
came to market at Prabhash Baba Sansthan, she did not find her



son, then the informant and her family members started searching but he was traceless.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case only on the basis of suspicion and confessional statement of the co-accused and the petitioner. He further submits that there is no eye witness of the present occurrence. It is further submitted that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 26.11.2020.

The learned counsel for the Informant and learned Additional Public Prosecutor has vehemently opposed the prayer for bail, submitting that the trial is going on but he is not in a position to inform the court that how many witness has been examined till date.

Considering the aforesaid facts and circumstances, 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 the learned Chief Judicial Magistrate, Siwan in connection with Goreakothi P.S. Case No. 193 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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.

(Rajesh Kumar Verma, J)

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