

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17806 of 2022

Arising Out of PS. Case No.-300 Year-2021 Thana- TEGHRHA District- Begusarai

Sandeep Saurav @ Butla S/O Lalan Singh, R/o Village- Bajalpura, P.S.-
Teghra, District- Begusarai

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 25026 of 2022

Arising Out of PS. Case No.-300 Year-2021 Thana- TEGHRHA District- Begusarai

Gopal Kumar @ Golu Son Of Ram Lagan Singh R/O Village- Bajalpura, P.S.-
Teghra, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 26382 of 2022

Arising Out of PS. Case No.-300 Year-2021 Thana- TEGHRHA District- Begusarai

Praveen Kumar @ Bittu Son of Munna Singh Resident of Village - Bajalpura,
P.s.- Teghra, Distt.- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 17806 of 2022)

For the Petitioner/s : Mr. Bipin Kumar, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 25026 of 2022)

For the Petitioner/s : Mr. Md.Imteyaz Ahmad, Advocate

For the Opposite Party/s : Mr. Upendra Kumar, A.P.P.

(In CRIMINAL MISCELLANEOUS No. 26382 of 2022)

For the Petitioner/s : Mr. Shivam, Advocate

For the Opposite Party/s : Mr. Ajay Kumar Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA



ORAL ORDER

3 26-09-2022 Heard learned counsel for the petitioners and learned Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within a period of four weeks from today.

Petitioners seek bail in a case registered for the offences punishable under Sections 307/34 of the Indian Penal Code and Section 27 of the Arms Act and later on under Section 302, 212, 115, 120(B) of the Indian Penal Code was added.

According to prosecution case, in brief, is that one Jitendra Kumar gave a Fardbeyan before S.I. Santosh Kumar, Teghra police station alleging therein that on 07.10.2021 in the morning when he was on duty at Traffic Chowk then Ashok Yadav deceased came there and told him that his loan has been sanctioned by S.B.I. Bank Dularpur, you will got there with me. Thereafter, when the informant and Ashok Kumar Yadav were going there, then two persons by a motorcycle overtook them and one of them shot fired upon Ashok Kumar Yadav. The informant stopped his motorcycle and called the people, but both the accused after showing the pistol fled away. The villagers disclosed their names as Gopal Kumar alias Golu and Anurag Kumar accused thereafter, the informant along with deceased went to Hospital for the treatment and during course of



treatment Ashok Yadav has died.

Learned counsel for the petitioners submits that petitioner no.1, namely Sandeep Saurav @ Butla has four criminal antecedents, petitioner no.2 namely, Gopal Kumar @ Golu has two criminal antecedents and petitioner no.3 namely, Praveen Kumar @ Bittu has clean antecedent. He further submits that petitioners have falsely been implicated in the present case. He further submits that as per F.I.R. the petitioner namely, Gopal Kumar @ Golu has fired upon the deceased. He further submits that the petitioner namely, Sandeep Saurav @ Butla and Praveen Kumar @ Bittu not named in the F.I.R. and the name of these petitioners have transpired on the basis of confessional statement of co-accused namely, Gopal Kumar @ Golu. He further submits that till date no TIP has been conducted by the prosecution and till submission of charge sheet except confessional statement of co-accused, no cogent material has come against these petitioners. He further submits that the police after investigation submitted the charge sheet against these petitioners. The petitioner no.1, namely Sandeep Saurav @ Butla is in custody since 01.11.2021, petitioner no.2 namely, Gopal Kumar @ Golu is in custody since 03.02.2022 and petitioner no.3 namely, Praveen Kumar @ Bittu is in custody



since 07.03.2022.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioners and submits that petitioner no.1, namely Sandeep Saurav @ Butla has four criminal antecedents, petitioner no.2 namely, Gopal Kumar @ Golu has two criminal antecedents other than the present one.

Considering the aforesaid facts and circumstances, let the petitioners, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Teghra P.S. Case No. 300 of 2021, subject to the following conditions:-

1. Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

2. If the petitioners tamper 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 petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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