

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36154 of 2021

Arising Out of PS. Case No.-555 Year-2020 Thana- BIDUPUR District- Vaishali

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SUBODH KUMAR, Son of Ramkrit Singh @ Ramkrit Rai Resident of
Village - Bhairapur, P.S.- Bidupurpur, Distt.- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ansul

For the Opposite Party/s : Mr.A.G.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 17-02-2022 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State, through Video

Conferencing.

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 Bidupur P.S.
Case No. 555 of 2020, registered for the offences punishable
under Section 364/34 of the Indian Penal Code.

According to prosecution case as per FIR is that,
marriage of deceased to the deceased, Prity Kumari was
solemnized in 2012 with petitioner and they were living happily.
It is further submitted by informant that he got information on
15.12.2020 in morning that his sister has been done to death by



accused/petitioner and other accused named in F.I.R. Informant has further expressed his doubt that his sister has been done to death and her dead body has been concealed anywhere by accused persons. Informant has further alleged that petitioner and co-accused Manoj Kumar were giving threatening to kill his sister from several days.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the petitioner was working in a non-banking company and the date of occurrence, he was not present. He further submits that there is no eye witness of the occurrence. He further submits that during investigation, there is also no material on record to suggest that the petitioner was involved in the occurrence as alleged in the FIR. He further submits that the petitioner is in custody since 17.12.2020.

The learned Additional Public Prosecutor opposed the prayer of bail submitting that petitioner has no criminal antecedent.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be **released on bail after framing of charge**, 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, Vaishali at Hajipur, in connection with Bidupur P.S. Case No. 555 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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