

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29251 of 2022

Arising Out of PS. Case No.-307 Year-2021 Thana- NAVINAGAR District- Aurangabad

BHUPESH KUMAR S/o Awadhesh Pasi R/o village- Ulli, P.S.- Nauhatta,
District- Rohtash Petitioner/s

Versus

The State of Bihar Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 29859 of 2022

Arising Out of PS. Case No.-307 Year-2021 Thana- NAVINAGAR District- Aurangabad

BIPIN KUMAR S/o Lalan Paswan R/o village- Rupan Bigha, P.S.- Mali,
District- Aurangabad (Bihar) Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 29251 of 2022)

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

For the Opposite Party/s : Mr.Ashok Kumar Singh, APP

(In CRIMINAL MISCELLANEOUS No. 29859 of 2022)

For the Petitioner/s : Ms.Leelawati Kumari, Advocate

For the Opposite Party/s : Mr.Bhanu Pratap Singh, APP.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-08-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioners and the learned A.P.P. for the State in the virtual Court proceeding in both the applications.

The petitioners seek bail in a case registered for the offence under Sections 302,201,34 of the Indian Penal Code.

The F.I.R. of the occurrence of murder is against unknown.



Learned counsel appearing for the petitioners submits that petitioners have clean antecedent. They have falsely been implicated in the present case only on the basis of suspicion. He further submits that in fact the petitioners are not named in the FIR. The name of the petitioners has been transpired during investigation on the basis of the confessional statement of the co-accused. Further submits that there is no eye witness of the alleged occurrence and father of the deceased has not named the petitioners in his statement before the police and co-accused, namely, Chandan Paswan has been granted bail by a Coordinate Bench of this Hon'ble Court vide order dated 22.08.2022 in Cr. Misc. No. 17316 of 2022 and the police, after investigation, submitted chargesheet against the petitioners and the petitioners are in custody since 11.12.2021.

Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

Considering the facts and circumstances of the case, 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 Nabinagar (Badem O.P.) P.S. Case No. 307 of 2021, with



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 bonds 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.

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 antecedents, 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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