

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39085 of 2021

Arising Out of PS. Case No.-41 Year-2021 Thana- PHULWARIYA District- Gopalganj

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Bhrigunath Singh @ Bhrigunath Ram @ Bhrigunath Ray S/O Kaptan Singh
R/O Village-Rajpur Khap Banawa Tola, P.S.-Fulwaria, (Sripur O.P.), District
Gopalganj

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Javed Aslam, Adv

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 12-05-2022 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 petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offence punishable under Section 302, 120(B), 201/34of the Indian Penal Code.

The allegation against the petitioner is that he alongwith other accused persons have murdered the husband of the informant by giving poison and thrown the dead body in the Sukhnahar canal.

Learned counsel appearing for the petitioner submits



that the petitioner has clean antecedent. He has falsely been implicated in the present case only on the basis of suspicion. He further submits that there is no eye witness of the alleged occurrence only on the basis of suspicion the petitioner and other accused persons have falsely been implicated in the present case. He further submits that it has come during investigation that the petitioner had given loan to the deceased. He further submits that if the petitioner has killed the deceased then how the dues amount has returned to the petitioner. He further submits that during investigation witnesses have stated that the deceased had taken loan from number of persons and he has committed suicide himself and the petitioner is in custody since 13.05.2021.

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

Considering the aforesaid facts, 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 learned Court below where the case is pending in connection with Phulwariya P.S. (Sripur O.P.) Case No.41 of 2021, with 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/her absence on two consecutive dates without sufficient reason, his/her 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.

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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