

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29865 of 2022**

Arising Out of PS. Case No.-889 Year-2021 Thana- MADHEPURA District- Madhepura

SAHIL KUMAR SINGH @ SAHIL KUMAR S/o Sanjeev Kumar Singh
Resident of Village- Mahua, Ward No.10, P.S.- Madhepura (Ghailadh),
District- Madhepura

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suman Kumar Jha, Adv.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 27-09-2022 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in a case registered for
the offence under Sections 302 of the Indian Penal Code.

The uncle of the informant is said to have been
killed by the petitioner and others.

Learned counsel appearing for the petitioner
submits that the petitioner is innocent and has falsely been
implicated in this case. He further submits that the
petitioner has not been named in the F.I.R. but merely on the
basis of self confessional statement of the petitioner, he has
been made accused in this case. He further submits that
nothing incriminating has been recovered from the



conscious possession of the petitioner and no cogent material has surfaced against the petitioner during course of investigation. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. He further submits that the brother of the petitioner, namely, Anand Kumar @ Chhotu has already been granted bail by the court below vide order dated 09.05.2022. The petitioner is rotting in judicial custody since 16.12.2021

Learned A.P.P. for the State has opposed the prayer for bail of the petitioner and submits that the petitioner carries one more case other than the present one.

Considering the facts and circumstances of the case, let the, above named, petitioner 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 Madhepura (Ghailadh) P.S. Case No. 889 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 canceled 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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