

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34231 of 2022

Arising Out of PS. Case No.-19 Year-2020 Thana- LAUKARIA District- West Champaran

PARSHURAM GIRI @ PURSHOTAM KUMAR GIRI S/o Late Rajender
Giri R/o village- Dhumwantand, P.S.- Laukariya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mritunjay Kumar Sinha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 22-09-2022 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 413, 44 and 34 of the Indian Penal Code and Section 25(1-b)a, 26 and 35 of the Arms Act.

The accusation is that the accused persons including the petitioner herein having pasted poster in the village supporting Maoist ideology in order to establish supremacy in the area.

Learned counsel appearing for the petitioner submits that the petitioner, who is of clean antecedent, is innocent and has falsely been implicated in this case merely on the basis of suspicion. He further submits that, in fact,



nothing has been recovered from the conscious possession of the petitioner neither any cogent material has surfaced against the petitioner during course of investigation. He further submits that the co-accused, namely, Shankar Guru @ Shankar Mahato, Arvind Gupta, Dhananjay Sharma and Bishal Ray @ Munchun Ray along with Ramayan Ray and Sher Khan, have already been granted bail by different co-ordinate Benches of this Court vide order dated 21.10.2020, 02.11.2020, 02.11.2020 and 27.11.2020 passed in Cr. Misc. No. 27463 of 2021, 27474 of 2020, 27902 of 2020 and 28069 of 2020 respectively. The petitioner is rotting in judicial custody since 14.04.2022.

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

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 Laukariya P.S. Case No. 19 of 2020 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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