

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.35459 of 2022**

Arising Out of PS. Case No.-129 Year-2021 Thana- BANGAWON District- Saharsa

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KUMARJIT KUMAR @ KUMARJIT PANDIT SON OF ARVIND PANDIT  
R/O VILLAGE- SHAHPUR WARD NO.-4, P.S. AND DISTRICT-  
SAHARSA

... .. Petitioner/s

Versus

The State of Bihar BIHAR

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Amarnath Jha

For the Opposite Party/s : Mr.Raj Kishore Singh

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

2      14-10-2022                      Heard learned counsel for the petitioner and the  
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in a case registered for the  
offence under Sections 302/34 of the Indian Penal Code and  
Section 27 of the Arms Act.

The brother of the informant is said to have been shot  
dead 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 only on the basis of suspicion. He further submits that in  
fact the petitioner has not been named in the F.I.R. but the name  
of this petitioner has transpired in this case during the  
investigation. He further submits that it appears from the F.I.R.  
the specific allegation of firing upon the deceased is attributed to



co-accused, Prabhakar Kumar. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. He further submits that the co-accused, namely, Hariom Kumar @ Nanhku has already been granted bail by this Court vide order dated 10.05.2022 passed in Cr. Misc. No. 12796 of 2022 and another co-accused, namely, Paras Kumar @ Parash Kumar, has also been granted bail by this Court vide order dated 01.09.2022 passed in Cr. Misc. No. 32404 of 2022. He further submits that the police after investigation has submitted charge-sheet in this case against the petitioner. The petitioner is rotting in judicial custody since 29.10.2021.

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 S.T. No. 82 of 2022 arising out of Bangaon P.S. Case No. 129 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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