

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37381 of 2022

Arising Out of PS. Case No.-602 Year-2019 Thana- BUXAR District- Buxar

GOVIND VERMA Son of Amarnath Verma @ Amarnath Resident of Village
- Paney Patti, P.S.- Buxar (Muffasil), District - Buxar.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anil Kumar Roy

For the Opposite Party/s : Mr.Shyam Kumar Singh

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR PANDEY
ORAL ORDER

2 18-10-2022 Let the defect(s), as pointed out by the office, be
removed within a period of four weeks from today.

Heard learned counsel for the petitioner and
learned A.P.P. for the State.

The petitioner seeks bail in connection with Buxar
(Town) P.S. Case No. 602 of 2019 registered for the offences
punishable under Sections 147, 148, 149, 302 of the Indian
Penal Code read with Section 27 of the Arms Act.

As per prosecution case, F.I.R. named accused
persons and two unknown persons alleged to have committed
the murder of informant's brother.

Learned counsel for the petitioner submits that
petitioner is in custody since 22.04.2022. Petitioner bears one
criminal antecedent. Learned counsel further submits that



petitioner is not named in the F.I.R. During the course of investigation name of present petitioner has been surfaced on the confessional statement of co-accused Harendra Kumar Yadav. Except confessional statement there is nothing on record to demonstrate the complicity of the present petitioner with the alleged occurrence. One of the co-accused persons namely Dharmendra Paswan, who is also not named in the F.I.R., has already been granted bail by a co-ordinate bench of this court and the case of present petitioner stands on similar footing. Co-accused Golu Kumar Ojha and co-accused Vishwambhar Yadav and Ajit Yadav have already been granted bail vide Cr. Misc. No. 72130 of 2019 and Cr. Misc. No. 71285 of 2021 respectively by co-ordinate bench of this court and the case of present petitioner stands on better footing in comparison to co-accused Vishwambhar Yadav as the petitioner is not named in the F.I.R.

The learned A.P.P. for the State vehemently opposes the prayer for bail of the petitioner.

Considering the facts and circumstances of the case as well as period of custody, petitioner is not named in the F.I.R., co-accused persons have already been granted bail, argument advanced on behalf of the parties and also taking into



consideration the material available on record, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Buxar in connection with Buxar (Town) P.S. Case No. 602 of 2019, subject to following conditions:-

(i) One of the bailors shall be either father or mother or sister or brother or wife or the person who has sworn the affidavit in bail application.

(ii) Petitioner will co-operate in trial and will remain present on all dates and absence for two consecutive dates without appropriate permission would be a ground for cancellation of bail by the learned Trial court itself.

(iii) 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.

(Alok Kumar Pandey, J)

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