

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47705 of 2021**

Arising Out of PS. Case No.-443 Year-2021 Thana- ARA NAWADA District- Bhojpur

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GANESH PASWAN @ JAY PRAKASH NARAYAN S/o SRI NIWAS RAM
R/o VILLAGE-SHREETOLA, P.S-ARA NAWADA (M), DISTRICT-
BHOJPUR.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Adv.

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

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

3 22-03-2022 Heard learned counsel for the petitioner and the

learned A.P.P. for the State.

The petitioner seeks bail in connection with Ara
Nawada P.S. Case No. 443 of 2021 registered for the offence
under Sections 365 and 302 of the Indian Penal Code.

As per the prosecution story, on 22.04.2021, the
father of the informant had gone to attend the natural call at
8.00 AM towards eastern side but he did not return. The
villagers told him that his father was seen in the company of
an unknown person.

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. He



further submits that the petitioner has not been named in the F.I.R. and only on the basis of suspicion, name of this petitioner has surfaced in the present case. He further submits that during investigation, no cogent material has come against the petitioner. He further submits that there is no eye witness to the alleged occurrence. Moreover, the co-accused, namely, Amarjeet Singh @ Lallu has already been granted bail by a co-ordinate Bench of this Court vide order dated 02.03.2022 passed in Cr. Misc. No. 42334 of 2021. The petitioner is rotting in judicial custody since 07.05.2021.

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 C.J.M. or concern court, Bhojpur at Ara in connection with Ara Nawada P.S. Case No. 443 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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