

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50743 of 2021

Arising Out of PS. Case No.-57 Year-2021 Thana- SHASTRINAGAR District- Patna

NAVNEET KUMAR S/o Namendra Mishra R/o Mohalla- Kalibag, Rajendra Nagar, Road No. 4, P.S.- Kalibag, District- Bettiah, At present- Punaichak, Post Office Gali, Tenant in the House of Bablu Yadav, P.S.- Shastri Nagar, Distt.- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surendra Kumar Mishra, Adv

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-03-2022 Let the defects, as pointed out by the office, be removed within four weeks of starting of Court proceeding in physical mode in normal course.

Heard learned counsel for the petitioner and learned APP for the State.

Petitioner seeks bail in a case registered for the offences punishable under Sections 363,365 and 34 IPC but the police after investigation submitted chargesheet against the petitioner under Sections 363, 365, 394, 302, 412 and 201(B) of the Indian Penal Code.

The informant raised suspicion that her son had been kidnapped by this petitioner, Chandan Kumar and others.

Learned counsel appearing for the petitioner submits



that the petitioner has falsely been implicated in the present case only on the basis of suspicion. In fact the petitioner and deceased was friend. He further submits that except the suspicion, nothing has come, during investigation, against the petitioner and the dead body of the victim was recovered from Harsidhi. He further submits that during investigation only material against the petitioner is that his confessional statement before the police except that nothing has come against the petitioner and the petitioner is in custody since 16.04.2021.

On the other hand, learned counsel for the informant as well as learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner on the ground that there is direct allegation against the petitioner is that the petitioner and deceased talked with mobile No. and further submits that the petitioner carries three more cases other than the present one.

Considering the facts and circumstances of the case, let the petitioner, above named, 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 Shastri Nagar Police Station Case No.57 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 cancelled 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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