

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52461 of 2021

Arising Out of PS. Case No.-308 Year-2020 Thana- FALKA District- Katihar

Raj Kishore Uraon @ Raj Kishor Uranw, S/o Late Resham Lal Uraaon R/o
village- Dumar, P.S.- Falka, District- Katihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 62160 of 2021

Arising Out of PS. Case No.-308 Year-2020 Thana- FALKA District- Katihar

Laxman Sahni @ Laxman Kumar Sahni @ Laxman Kr. Sahni S/o
Raghuvansh Sahni R/o Village- Dumar Sahni Tola, P.S. Falka, District-
Katihar

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 52461 of 2021)

For the Petitioner/s : Mr.Jibendra Mishra

For the Opposite Party/s : Mr.Choubey Jawahar

(In CRIMINAL MISCELLANEOUS No. 62160 of 2021)

For the Petitioner/s : Mr.Md. Fahimuddin

For the Opposite Party/s : Mr.Ajit Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-03-2022 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 petitioners and the

learned A.P.P. for the State.

The petitioners seek bail in connection with Falka



(Pothiya O.P.) P.S. Case No. 308 of 2020 (G.R. No. 3647/2020)
registered for the offence under Sections 302, 201 of the IPC.

As per allegation in the FIR, the dead body, of the father of the informant was found in a bamboo orchard. He further alleged that his father was killed by unknown.

Learned counsel appearing for the petitioners submits that the petitioners have clean antecedent and have falsely been implicated in this case only on the basis of suspicion. It appears from the FIR that the petitioners are not named in the FIR. The name of the petitioners have been transpired on the basis of the statement of the brother of the deceased which is recorded after six months of the date of the occurrence. He further submits that no incriminating article have been recovered from their conscious possession and during investigation except the statement of the brother of the deceased nothing has come against the petitioners during entire investigation. The police has submitted charge-sheet after investigation against the petitioners. Petitioners namely Raj Kishore Uraon @ Raj Kishor Uranw and Laxman Sahni @ Laxman Kumar Sahni @ Laxman Kr. Sahni are in custody since 17.05.2021 and 16.05.2021 respectively.

Learned APP for the State has opposed the prayer for



bail of the petitioner.

Considering the facts and circumstances of the case, let above named, petitioners be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.C.J.M.-I, Katihar in connection with Falka (Pothiya O.P.) P.S. Case No. 308 of 2020 (G.R. No. 3647/2020) with the following conditions:-

(1) Petitioners 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 their absence on two consecutive dates without sufficient reason, their bail bond shall be canceled by the Court below.

(2) If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage, it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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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